



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Albert Balagso
David Sykes

SUBJECT: TRAIL SAFETY
ENHANCEMENTS

DATE: 03-14-11

Approved  Date 3-15-11

COUNCIL DISTRICT: Citywide

RECOMMENDATION

Accept staff report and recommend that the City Council:

- (a) Approve the work plan for new signage, striping and mileage markers to be installed along City trails for directional, information and safety guidance as described in the staff memorandum.
- (b) Approve an ordinance amending Section 7.40.040 of Title 7 of the San José Municipal Code that a fixed leash, not to exceed six feet (6') must be used along trails at all times for any animal accompanying a trail user.

OUTCOME

This memorandum reports on a community process to obtain input on safety enhancements along trails, recommend an adjustment to the Municipal Code for an amended trail rule, and provide an overview of safety-related projects currently underway along the City's Trail Network.

BACKGROUND

San Jose's Trail Network is over 53 miles in length and across 24 trail systems. In October 2007, the City Council unanimously adopted the Green Vision for San José, an ambitious 15-year plan to promote clean tech innovation, sustainability, and green mobility. Goal 10 of the Green Vision set forth a goal of developing a 100-mile interconnected trail network by 2022.

In September 2009, a 62-year old woman died from an accident on the Los Alamitos Creek Trail located in San Jose. This tragic incident prompted Councilmember Nancy Pyle to conduct a community meeting in October 2009 to seek input and ideas for improving public safety along

trails. About 100 community members attended the meeting held at the Almaden Community Center, near the Los Alamitos Creek Trail.

In November 2009, Councilmember Pyle recommended to the City's Rules Committee that the Parks and Recreation Commission review findings from the October meeting, conduct a citywide discussion, and consider the need for further action.

In February 2010, staff presented to the Parks and Recreation Commission an overview of current safety enhancement projects and community input received. Staff gathered input from commissioners and community members. About 10 community members were in attendance.

In April 2010, staff presented to the community a set of recommendations for addressing community concerns and solicited further input. Five community members attended the meeting conducted at City Hall. Also in attendance were Councilmember Pyle, Director Albert Balagso, and a representative from the Santa Clara County Department of Parks and Recreation.

On June 2, 2010, staff provided a report to the Parks and Recreation Commission regarding efforts to enhance safety of the Trail Network. The report described newly developed signage, the use of reflective striping and mileage markers. The commission accepted the report and voted unanimously that the City pursue a prohibition to prevent bicycle riding with a leashed dog along any City trails. Staff has analyzed the commission's recommendation and is not including the prohibition of bicycle riding with leashed dogs along City trails as part of staff's recommendations for reasons explained in this memorandum.

ANALYSIS

An annual count and survey of trail users documents a continual growth in usage over the past three years. The count has occurred along the Guadalupe River, Highway 87 Bikeway and Los Gatos Creek trails. These centrally-located trails reflect the dual purpose of trails; serving both recreational and commuting objectives. The typical 16' wide trail offers capacity for multiple users, with two 2' gravel shoulders and 2-way traffic on the remaining asphalt surface. Trails are considered to be multi-use and thereby permit pedestrians, bicyclists, equestrians, skaters and Segways.

Staff conducted a process to gather community and Parks and Recreation Commission input on matters impacting trail safety. A change to the City's leash ordinance was seen as necessary in order to address potential safety concerns with the use of a longer leash for dogs on trails, and all other existing work plan tasks address common issues of concern raised by the community and commission.

Amend the City's Leash Ordinance

Staff recommends Council approve an ordinance amending San José Municipal Code Section 7.40.040 to require that a dog owner/guardian or person with a right to control a dog must keep

the dog under direct physical restraint by means of a leash not to exceed six feet in length on any City trails, and that the dog must be kept to the right of the trail's centerline.

San José operates many trails through Joint Trail Agreements with the Santa Clara Valley Water District. These agreements permit a recreational function upon District owned properties. The agreements permit the City to regulate recreational trail use. No change in existing agreements is required as a result of the ordinance change proposed with this memorandum.

Bikers, runners, and walkers with or without dogs share the trails. Most trails are 16 feet in width or less. Section 7.40.040 of the San José Municipal Code currently permits a dog that is on any public street, public sidewalk, or other public places to be on a leash not to exceed six feet in length. A leash of at least 6' but no more than 20' may be used in a public park or public open space if the dog can be properly restrained to prevent unwanted contact with another person or animal.

The narrow and linear nature of trails is similar to sidewalks in terms of a defined and confined public right of way. The 20' leash permits dogs to cross the centerline and the pet and leash can present a tripping hazard. The proposed amendments should reduce the potential tripping hazard of a longer leash and make it easier for the person controlling the dog to *keep the dog under direct physical restraint*. With the Municipal Code change, a new Trail Rule sign would be posted at points of entry educating the public about the rule. Supplemental signage may be added in areas where dog walking is common and further reinforcement appears beneficial.

Staff is not putting forth a recommendation for prohibition of bicycle riding with a leashed dog on City trails. Staff has contacted other public agencies, such as neighboring cities and the State of California, who currently do not have a law in this regard. Additionally, the practice can occur along sidewalks and streets because there are no off-street or on-street prohibitions and staff believes concerns with bicycle riding with leashed dogs can be addressed with changes to the Municipal Code as discussed above, and additional signage, striping, and speed limit, as discussed below. Staff acknowledges that the issue deserves study, but it extends well beyond San José trails and would be difficult to enforce because of conflicting rules in other agencies and limited enforcement resources allocated to trail facilities. The proposed recommendation of adding signage and striping is seen as a viable educational approach considering limited resources and supports safer usage until the issue of bicycling with leashed dogs can be addressed in a more global fashion by engaging all public agencies.

Update Trail Rule Sign

As part of the Milestone Marker project (funded by a grant; California clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002), staff has developed a set of signs for deployment along trails. Staff has developed the proposed Trail Rule sign depicted as Attachment A to this memorandum. The sign includes strong graphics to draw interest and more easily convey the intent of each rule. The new sign will include the aforementioned amendment to the City's Leash Ordinance and two new rules to be adopted by the Director of Parks,

Recreation and Neighborhood Services (PRNS) pursuant to San José Municipal Code Chapter 13.44:

- “Bicyclists may not ride bicycle with headphone, earplugs, or other devices covering both ears.” This rule would be consistent with the California Vehicle Code (27400) which prohibits a person from operating a motor vehicle or bicycle with a headset or earplugs covering both ears. This rule permits people to ride with an entertainment device but ensures that they remain aware of their surroundings.
- “15 mph Speed Limit.” This rule would create consistency with the existing County rule and the speed limit is common to many trails across the country.

Hours of Operation

Trails are currently open from one hour before sunrise to one hour after sunset. Some community members proposed an extension of hours to provide greater access to trails and potentially reduce peak hour demand. As noted in a recent council memorandum (2010-08-10, Item 5.1, Resolution 75526) staff will form a Technical Advisory Committee to review impacts and opportunities available through permitting use of trails on a 24 hour per day basis. A report on this matter is anticipated in 2011. If a change in hours were to be supported by the Council, it would be necessary to amend trail rule signage. A cost for such a change would accompany a future council recommendation.

Awaiting a determination on 24 hour operation prior to installation of the trail rule sign is not advised because grant funding requires all signs to be in place by early 2011 and does not provide sufficient time to study, develop proposals and potentially address fiscal issues with the operational change. The signage is formatted in a manner that a low cost sticker could announce the altered hours of operation at minimal cost.

Deploy Signage and Striping

Funding is provided as part of the 2010/11 budget for the installation of signage and supplemental striping as defined by the grant-funded project noted previously. As part of that project, staff will manage installation of new infrastructure at all existing trail systems and use a common approach for future trails. The project includes but is not limited to:

- Paint centerline stripe to reinforce right of way. The paint installation will meet the City’s new specification for reflective, thermoplastic paint which supports more rapid identification and response by the Police Department’s Aerial Support Unit during evening hours when unlit trails are difficult to identify within riparian zones.
- Paint “Keep Right” message strategically along trails at congested points.
- Install “yield to pedestrian” signs that graphically show that bicyclists need to approach with caution.
- Install “pass left / keep right” signs that graphically show that persons should travel to the right of the centerline. Passing movements should occur to the left of the centerline in conjunction with ringing a bell or calling “to your left.”
- Install other regulatory, warning and informational signs as necessary.

Support Use of Bicycle Bells

San Jose's Bicycle Program is managed by the Department of Transportation and includes a nationally-recognized child and adult bicycle education component. Lights and helmets are provided as part of the program. PRNS staff will coordinate with DOT staff to include the provision of bicycle bells. Education and encouragement for use of bicycle bells will occur as part of the existing Street Smarts Program. New signage includes a "pass on the left" message with a cyclist represented ringing his/her bell.

Equestrian Use

Staff will lead a future community process to define trail systems that have the necessary elements to permit safer use by equestrians. Upon designations, the trails will include informational signage for safer interaction between the horse and rider, and the bicycling and walking public. Additional educational material will be posted on the Trail Program web site.

Institute Trail Watch

Staff has patterned a volunteer program after a successful effort undertaken by the County of Santa Clara. Trail Watch encourages frequent trail users to volunteer their time for reporting maintenance issues, incidents and recurring rule violations to the Park Concern hotline. Securing data from the public permits maintenance and operations staff to target trails in most need of maintenance or enforcement. The Trail Watch responsibilities are being added to the duties conducted by Adopt-A-Trail volunteers.

Install Milestone Markers

The Milestone (mileage) Marker system is funded through the FY 2010/11 budget and includes markers spaced at ¼ mile increments along all existing and future trails. Each marker has a unique code to aid trail users, maintenance personnel and emergency services personnel to quickly locate points along the trails. Once deployed, the system will be one of the first in the nation to provide accurate "addresses" along recreational trails. The precise location of each marker will be recorded in the City's Geographic Information Systems database, with companion data identifying the quickest entry and exit points for service vehicles. This information will facilitate 911 calls for service and deployment of appropriate staff.

The system will have additional benefits in helping recreational users track their distance and accurately report incidents for more effective staff deployment for maintenance and enforcement. The project is funded through a grant and staff anticipates that installations will be completed along core trail systems by March 2011.

Pursue Green Vision

As noted elsewhere in this memorandum, staff continues to pursue development of the trail network in order to provide 100-miles of interconnected trails by 2022. Over the past several years, the City has delivered approximately three miles per year. Development of more trail systems will offer additional venues for trail users to enjoy and potentially offer an alternative for trail users seeking to avoid popular bicycle commute routes.

EVALUATION AND FOLLOW-UP

The current deployment of milestone markers along Los Alamitos Creek and Calero Creek trails is occurring as a test deployment. A survey of trail users will occur to determine if they are easy to understand and use. Lessons learned will be incorporated as part of subsequent deployments along core trail systems in the network.

POLICY ALTERNATIVES

Alternative #1: Do Nothing

Pros: Eliminates staff time required to prepare a municipal code change and adjustments to trail signage with posted rule.

Cons: The current municipal code language is ambiguous relative to leash length and the change can enhance trail system use and safety.

Reason for not recommending: A funded project will replace all trail rule signage and this is an opportune time to make rule clarifications at minimal cost.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

PRNS created a web page for the sharing of information related to this issue (<http://www.sjparcs.org/Trails/TrailSafety.htm>). The page includes notes from community meetings and past presentations to the Parks and Recreation Commission.

Staff presented information about this matter to the Parks and Recreation Commission as agendaized presentations (February 3, 2010 and June 4, 2010). Community meetings occurred on October 28, 2009 and April 6, 2010 to secure community input on the approach described by this memorandum. Copies of the presentations and notes are posted on the Trail Program web site > *Reports > Trail Safety.*

Staff will report findings and recommendations to neighboring agencies. Several San Jose trails link to other communities and the issues raised by the community are likely common to other jurisdictions. Staff will post similar information on several trail-focused Internet sites used by trail professionals throughout the country and internationally.

The Trail Program web site includes etiquette information. It will be reviewed and updated to include the proposed rule changes and provide context for their role in offering a safer trail experience.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, Department of Transportation, and the San Jose Police Department.

FISCAL/POLICY ALIGNMENT

Installation of signage and other safety enhancement measures is an integral component of trail development and is consistent with the Greenprint-defined goal of creating a 100-mile trail network and the Green Vision objective of completing the network by 2022.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$ N/A
2. COST OF PROJECT: \$ N/A
3. SOURCE OF FUNDING: N/A

FISCAL IMPACT: Funding for deployment of signage, striping and mileage markers is made available through a 2002 Per Capita, State of California Grant approved by the City Council (Council Agenda 01-27-03, Item 71944). Funds to support the reimbursable grant are sourced from Fund 391 (Construction and Conveyance Tax Citywide Parks), appropriation 6106 (TRAIL: Milestone Marker appropriation).

BUDGET REFERENCE

N/A

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CEQA

Not a Project. PP10-068, General Policy Making

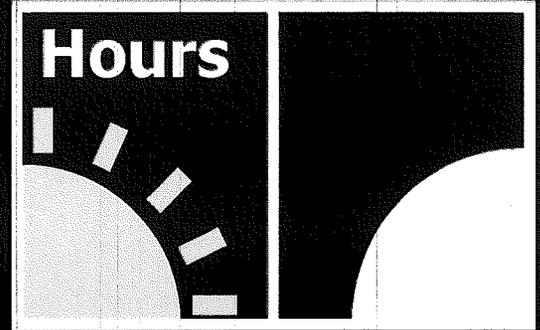
/s/
ALBERT BALAGSO
Director of Parks, Recreation and
Neighborhood Services

/s/
DAVID SYKES
Acting Director of Public Works

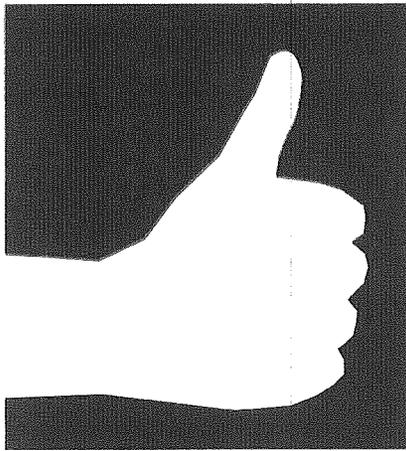
For questions please contact Yves Zsutty, Trail Manager, at 408-793-5561.

Attachment

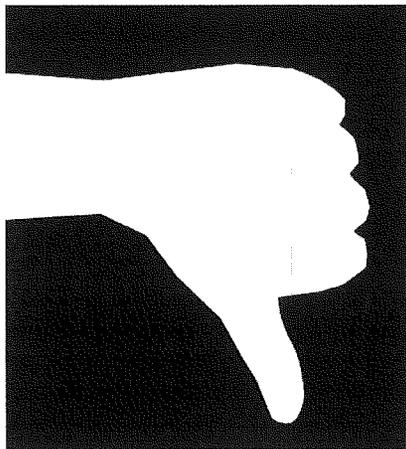
TRAIL RULES



one hour before sunrise
one hour after sunset



Bicyclists yield to pedestrians
Bicyclists obey all traffic rules (Veh. Code Sec. 21201)
Picnic in designated areas only
Motorized wheelchairs ok
Clean up after pets
Dogs on short leash and under
command of owners at all times



No fires, alcohol, or smoking
No motorized vehicles
No boating, fishing, or swimming
No camping
Stay on trail, no trespassing on adjacent lands

911

Call 911 for emergencies

San Jose Municipal Code Section 13.44.020, 7.08.590
and all other codes and State laws are strictly enforced