

From: Don Spencer [mailto:dspencer36@comcast.net]
Sent: Sunday, February 12, 2012 1:38 PM
To: Delegate Harold Michael (harold@hardynet.com)
Cc: Delegate Margaret Staggers (margaret.staggers@wvhouse.gov); Delegate Linda Phillips (linda.phillips@wvhouse.gov); Delegate Amanda Pasadon (amanda.pasadon@wvhouse.gov); Delegate Dale Stephens (delegatestephens@comcast.net); Delegate Daniel Hall (daniel.hall@wvhouse.gov); Delegate Gerald Crosier (gerald.crosier@wvhouse.gov); Delegate Rick Snuffer (rick.snuffer@wvhouse.gov)
Subject: Subcommittee meeting on HB4074

Dear Delegate Michael –

I attended the House R&T meeting at 2 p.m. on Wednesday afternoon when the subcommittee was appointed to work on HB4074, the Complete Streets bill. I have worked on transportation issues in Morgantown for over a decade with the municipal Traffic Commission and the Greater Morgantown Metropolitan Planning Organization. During this time period, both the City Council of Morgantown and the MPO have passed Complete Streets policies. A copy of the resolution passed by the City of Morgantown – with references - is attached. See above or public document in www.morgantown.com/traffic.htm

The most important thing that a Complete Streets policy would do in West Virginia, in my opinion, would be for the Legislature to say to the Department of Transportation that in working out transportation changes within communities, there needs to be a partnership between the WVDOT and the city in the planning and maintenance arrangements. This is not happening today.

At present the WVDOT simply goes ahead and does whatever engineers in Charleston think is needed – based on their experience in building roadways (not streets) around the state. Meanwhile issues such as downtown revitalization, walkability (including crosswalks),

access to transit by pedestrians, bicycle travel, ADA standards, night-time illumination, and safety for school and park access - are completely ignored. Although there have been improvements, the WV DOT is still essentially a Division of Highways dominated in its thinking by a highway engineer mentality which is insensitive to the non-motorized transportation contextual needs of higher density areas. In the State of Maryland there is an Environment and Community Office which supports various modes of transportation planning within the Maryland State Highways Administration. With specific attention given to enhancing community transportation by the State of Maryland and its SHA, there are more complete streets in communities such as Clear Spring, Cumberland, Frostburg, Grantsville, Oakland and Friendsville. All the curbs, sidewalks and crosswalks along the main streets in those communities have been installed by the Maryland State SHA.

The Maryland SHA website states: "One of the best examples of SHA's efforts to improve our project development process is our most recent publication, *When Main Street is a State Highway - Blending Function, Beauty and Identity - A Handbook for Communities and Designers*. This handbook guides community representatives and SHA staff through a step-by-step comprehensive process that will allow them to identify and achieve community goals. ...The field-tested approach outlined in "Main Street" is the result of several years of experimentation with community-oriented projects, extensive SHA staff give-and-take, and the contributions of many local communities and citizen groups. This publication highlights SHA's commitment to the early, continuous and effective involvement of all stakeholders in our project development process. Our *Thinking Beyond Pavement* efforts have done more to improve relationships between SHA and municipalities than anything we have ever done." Although Maryland does not have a named Complete Streets policy, it has already fully integrated complete streets planning within its SHA organization. This type of process can emerge from a commitment of the West Virginia Legislature to Complete Streets. West Virginia communities want complete streets. We have a serious infrastructure deficit relating to ALL forms of

community transportation. We can make more progress learning from the best practices of others.

<http://www.marylandroads.com/index.aspx?PageId=244>

This past year the keynote speaker at the annual conference of the National Association for Downtowns is reported to have said, “Walkability is going to be essential for downtowns to survive.” Thirty and more percent of the population eligible to drive in the USA do not drive motor vehicles. In order to achieve greater “transportation equity” – equal access to transportation infrastructure for all people – our transportation budget must be more equitably distributed to achieve “complete transportation for the more complete population” – not just for many elderly, persons with disabilities, increasing numbers of persons who cannot afford automobiles due to unemployment and under employment but also for kids getting off school buses at school and near homes or walking to school in high density areas. Sam Adams, mayor of Portland, OR, stated at a conference I attended two years ago that for the cost of one mile of freeway his city was able to install total bicycle infrastructure and several enhancements for pedestrian infrastructure. The beneficial impacts of these investments have spoken for themselves economically and in congestion reduction not only for the City of Portland but also for the economic benefit of its state itself.

The deficits in pedestrian and multi-modal infrastructure in the central city areas of each West Virginia city are damaging and holding back the economic progress of communities and the state as well. One way to stop being a #50th state is to start investing more in our communities. Our municipalities are critical economic engines in our state. If allowed to flourish, they hold keys to diversifying our economy, improving tax-base and enhancing valued quality of life. Improving “complete” transportation infrastructure is one of the lead changes that needs to occur. The essential thoroughfares, the “main streets”, in all our communities are almost entirely centrally controlled by the WVDOT.

This past year the WVDOT widened University Ave. in the central business district of Morgantown. Adjacent to the section that they worked on is the direct access to 1) a central park facility along the waterfront of the city and 2) the downtown transit center where buses come and go to multiple locations throughout the county as well as 3) numerous businesses and apartment complexes. Was the design for the changes brought to the City of Morgantown in advance of construction? Was the design able to be reviewed by the city's Traffic Commission and its Pedestrian Safety Board and Bicycle Board? How about by the Transit Authority?

The attached pictures show some of the results of the University Ave. widening project. After seeing these pictures the answer to the above questions will be obvious. The design and construction has been challenged for not conforming to ADA standards in terms of barriers, sidewalk cross-slope, and width of a sidewalk in a commercial district. If the DOH had collaborated on the design with the city, would the State have been able to save time and money on this project, do a better job enhancing the safety and economy of the downtown as well as enhance the credibility of the WVDOT? Yes.

The importance of the Complete Streets policy for the future of the state cannot be overstated.

In meeting with several individuals since the House R&T meeting on Wednesday, I wish to say that we consider HB4074 bill to be essentially a good bill. It encourages complete streets, identifies methods, allows for specific exceptions, and mandates performance standards, public participation and transparency. Some possible ways to strengthen the bill might be:

A. S8-18-1a and S17-4-36a: Add the underlined words to the headings, "Bicycle, pedestrian and transit ways in municipalities and in other high density commercial and residential areas."

B. In first subsection (a) (2) on definitions for Chapter 18 and Chapter 17: Where it includes “bicycle lanes” in the list of “complete street features”, add the words “or shared lane markings” so that it reads “ ..., bicycle lanes or shared lane markings,...”. (The “shared lane markings” are a MUTCD authorized feature that can significantly reduce costs where sufficient space is not available for separate bicycle lanes.)

C. In subsection (2) (B) in Chapter 18 and Chapter 17 where the word “excessively” is used, qualify the sentence so that it might read: “The cost would be excessively disproportionate to the need or probable future use over the long term as determined by consensus of relevant stakeholders;”. (This change would be consistent with the specification of “full public participation in policy decisions and transparency in individual determinations...” provided in the section (d) which follows the sentence in each of the two chapters.

Thank you for your work on this bill. Your services to our state are much appreciated. If I can assist further in any way, please feel free to contact me.

I would also appreciate knowing when the subcommittee will meet and when the full R&T Committee is likely to be receiving your subcommittee’s report.

Thank you for your help.

Sincerely,

Don Spencer
Former Deputy Mayor
Morgantown