

From: [Debbie Tarry](#)
To: [Tom McCormick](#)
Cc: [Chris Roberts](#); [Shari Winstead](#); [Keith Scully](#); [Doris McConnell](#); [Will Hall](#); [Jesse Salomon](#); [Keith McGlashan](#)
Subject: RE: Ordinance 755 (Complete Streets Program) -- amendment
Date: Monday, October 03, 2016 3:33:28 PM
Attachments: [image002.png](#)

Tom –

Thank-you for reviewing Ordinance No. 755. I wanted to make sure that we weren't missing something so I discussed your recommended change with staff and the City Attorney's Office. After discussing your recommendation with them, I am recommending that the Council not make your suggested change. As worded in the current version of the ordinance it allows the Director to look at both current need or if there is not a current need, then he/she can look at future use and make a determination based on current or future. Based on your comments below I am interpreting that this is what you wanted to make sure could be considered and we believe that the current version of the ordinance accomplishes this. Also, because there could be a situation where there is a current need, but because of an anticipated change (revision to an intersection, re-routing of a bike path etc.) it would not make sense to spend the money on the improvement for such a short period of time when it is anticipated that the need would not be there. In other words, there could be a situation where both would not be met.

As an aside the model ordinance that has been used by many cities and is part of the Smart Growth America guidance (the basis for the Complete Streets Program) uses the word "or" – my recommendation is really based on the first paragraph, but just wanted to share this point with you.

I hope that this is helpful.

Debbie Tarry
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From: Tom McCormick [mailto:tomccormick@mac.com]
Sent: Monday, October 03, 2016 12:02 PM
To: Chris Roberts; Shari Winstead; Keith Scully; Doris McConnell; Will Hall; Jesse Salomon; Keith McGlashan
Cc: Debbie Tarry
Subject: Ordinance 755 (Complete Streets Program) -- amendment

Councilmembers:

Ordinance 755 (Complete Streets Program) is on the Consent Calendar for tonight.

I request that the Ordinance be removed from the Consent Calendar to facilitate consideration of an amendment to 12.50.040(B) to replace the word "or" with the word "and", as depicted on the attached snippet.

As proposed 12.50.040(B) reads in the meeting packet, the Public Works Director could grant an exception to the Complete Streets Policy if the cost would be excessively disproportionate to the current need, even though the cost would not be excessively disproportionate to the probable future use.

Consider this example: On a road without a bike lane, not many bikers use the road. Because not many bikers use the road, one might conclude that there is no current need to accommodate bikers on the road. A conclusion of "no current need" would be wrong, however, if the main reason that the bikers don't use the road is that they are worried about their safety (no bike lane and lots of car traffic). If the road were improved by adding a bike lane, then the bikers' safety concerns would vanish, and they would bike on the road. In this example, the costs to add a bike lane to the road would not be excessively disproportionate to the probable future use.

Please consider removing Ordinance 755 from the Consent Calendar, and offering an amendment to 12.50.040(B) so that a cost exception could not be granted unless the cost was both excessively disproportionate to the current need AND excessively disproportionate to the probable future use.

Thank you.

Tom McCormick

12.50.040 Exceptions. Subject to approval by the Director of Public Works, facilities for pedestrians, bicyclists, transit users, and/or persons of all abilities are not required to be provided:

- A. When establishment would be contrary to public safety;
- B. When the cost would be excessively disproportionate to the current need ~~or~~ ^{and} probable future use;
- C. Where there is no identified need based on adopted City transportation plans and future travel demand models;
- D. When routine maintenance of the transportation network is performed that does not change the roadway geometry or operations, including, but not limited to, striping, sweeping, spot repair, pothole filing, joint or crack filling, and surface treatments for pavement preservation;
- E. When the roadway is a limited access roadway, prohibiting by law either non-motorized or motorized use; and
- F. Where implementing Complete Streets standards in a small project would create a very short section of improvements with problematic transitions on either end or that are unlikely to be followed by similar improvements at either end resulting in little progress on implementing a Complete Streets networks as provided for in the Transportation Master Plan.