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September 8, 2016

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Re: Comments re Chapter 33 Amendments Relating to Houston Bike Plan

Dear Mr Crimmins:

The Citizens' Transportation Coalition (CTC) respectfully submits the following comments to the August 26 and earlier proposed revisions to Chapter 33 relating to the Houston Bike Plan.

CTC is a Houston-based, 501(c)(3) all-volunteer, nonprofit multi-modal transportation organization. CTC advocates for the most effective transportation infrastructure, expenditures, processes, and solutions that improve access to mobility and quality of life for all residents and all local neighborhoods.

Since 2004, CTC has worked to engage residents of the 13-county Houston-Galveston (H-GAC) area in multi-modal transportation projects as to planning, public involvement procedures, infrastructure design, and funding and to promote stakeholder involvement. H-GAC is the federally mandated, multi-modal organization through which local governments consider issues and cooperate in solving area wide problems. Almost all transportation plans and designs have some sort of neighborhood impacts or neighborhood obligations.

Summary

Our comments here are focused on the need for written, **formal processes insuring access of neighborhoods to public involvement** in formulating plans; and notice, comment, open meeting, and outreach procedures to be included in Chapter 33 Bike Plan revisions (as well as other PWE/Planning revisions to the city code or its guidances and policies.)

CTC strongly supports non-motorized transportation alternatives and views bike ways as an inexpensive and healthy source of multi-modal transportation, but one that can particularly require formal comment procedures for neighborhoods to participate in design, infrastructure,

safety, operability, and maintenance for maximum mobility. The plans still require funding input from the city and H-GAC. Design and funding should be iterative processes.

We urge you to continue discussion on your proposed revisions and to incorporate those of SNA as well as our suggestions and those of others which promote transparency, access, and public input. More time and study is needed. Please do not take action yet, but do not unduly delay. Although well written, the August 26 proposed revisions still are lacking in substantive public involvement and access procedures.

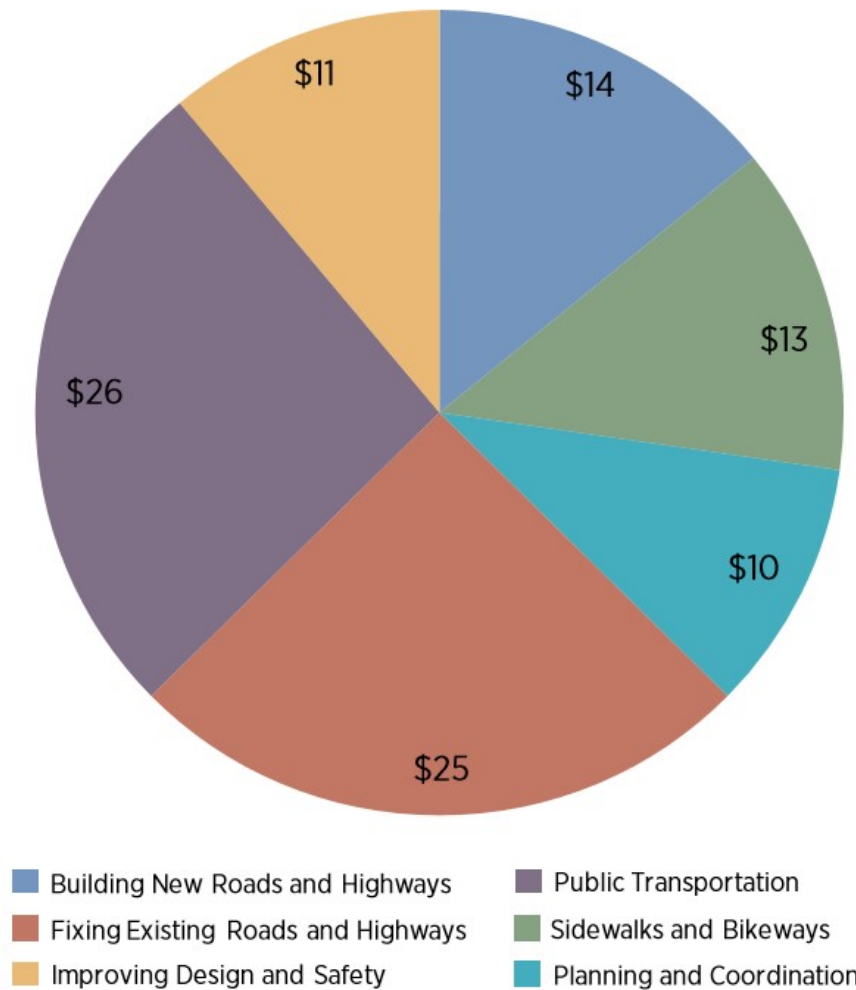
We further urge you to consult with legal or administrative to insure compliance with the city's requirement for promulgating regulations and the content thereof.

We urge you to go a step further and be bold. Please consider a blanket public involvement and transparency process for the city, or at least perhaps for PWE/Planning to promote greater and earlier public involvement, to promote fairness, and to prevent legal and other obstacles to important projects from cropping up at the last minute.

The city should rise at least to the level of other agencies with regard to involvement of the neighborhoods. Other governmental agencies which have formal bike plans, such as TxDOT, FHWA, and particularly H-GAC, all have formal notice and comment processes for adopting regulations, open meetings, and formal processes for soliciting public comments for particular projects including bicycle plans. The city has no compelling reason not to be in line with those agencies in terms of procedural and access rights of residents and neighborhoods.

Bike Plans are becoming increasingly more important to Houston's and the H-GAC's transportation modes. By H-GAC's recent study (2012) residents across the H-GAC area wish to see \$13 of every \$100 spent on bike ways and sidewalks. (*see figure next page*)

**Figure 1:
How Our Region's Residents Would Spend \$100
Improving Our Transportation Network**



Source: H-GAC THINK 2040 Survey (2012)

See, *infra*, H-GAC 2040 REGIONAL PEDESTRIAN & BICYCLE PLAN – Policy Guide

Points

First, while the Bike Plan is city-wide, and H-GAC's bike plan is region-wide, many bike issues are essentially very local. Neighborhood involvement is particularly important for bike way design, safety, lighting, street condition, source-destination issues, and maintenance issues that are often overlooked or not picked up on broader, grid-oriented planning horizons. This yields a suboptimal design and can often require complex or expensive design revisions and infrastructure modifications. Neighborhoods know best what is going on in the neighborhoods.

Second, we urge you to limit your actions at the upcoming commission meeting to discussion of the city's the most recent proposal dated August 26 and either (a) defer any sort of formal action until an appropriate period for publication and comments has passed or (b) clarify that the revisions are interim, and there will be a formal publication and comment period for the language regarding public involvement and processes.

It is our understanding that the proposed revisions may be brought before the Planning Commission as early as this Thursday September 8, 2016. CTC only learned of these revisions on August 29 through the SNA. The date of actual release to the stakeholders should govern a comment period, and by no stretch of the imagination has there been an adequate comment period for the commission, let alone for the public, to digest and critique rationally the revisions dated August 26. If the August 26 revisions are intended as a final draft, you may wish to discuss the appropriate period with Legal or Administration and Regulatory Affairs for code revisions or to clarify that there will be yet another comment period when the commission finalizes its proposed language. If the draft revisions are interim, they should not be put to vote, but rather they should only be brought forward for discussion by the commission.

Third, the August 26 language itself has important procedural deficiencies that should be remedied. The August 26 revisions still provide no way for members of the public to propose revisions to the Bike Plan or its Digital Map. The Bicycle Advisory Committee and its operations will still be behind closed doors, and there is no opportunity for substantive community engagement or neighborhood level planning for bicycle infrastructure or design features. There are no spelled out public involvement procedures. Determination of what public involvement will be deemed sufficient will be left to the discretion of the planning commission, but this commission is dispositive of most city bike path issues. Again we urge you to consult with Legal or Administration and Regulatory Affairs (ARA) regarding notice, public involvement, open meetings, and comment requirements.

Fourth, the city does need its own bottom-up, granular issues committee. H-GAC is the vehicle through which nearly all regional multi-modal transportation plans are formulated, budgeted, and adopted through H-GAC procedures, but those procedures are too top down to tackle all the issues, especially very localized issues.

H-GAC has both a bike policy and a separate bike funding guidance that may benefit the City of Houston for examination as to procedures. The H-GAC plans are to adopt a fiscally constrained budget and must include all bike way funding from whatever source: federal, local, or private.

H-GAC's bike plan guidance is: "H-GAC 2040 REGIONAL PEDESTRIAN & BICYCLE PLAN – Policy Guide"

<file:///C:/Users/carol/Documents/Documents/ctc/Regional-Policy-Guide-2040-Regional-Pedestrian-and-Bicycle-Guide.pdf>; there is a corresponding Bicycle Plan Funding Guide.

The H-GAC project procedures include mandated public notice and comment mechanisms, but they are too broad to capture most neighborhood issues except those involving specific federal mitigation and permitting mechanisms such as for noise, water, and air quality. Further, the H-GAC bike sub-committee has a different mission: it does hold open meetings; although it focuses on specific projects for the regional plan, city street alterations and traffic flow patterns, funding, and TIP amendments. Thus, by necessity, H-GAC is somewhat a top down organization. **So a more granular, bottom-up approach is needed at the city's neighborhood level to capture specific design, operability, and maintenance issues facing neighborhoods such as poor street conditions, lighting, adequate space, schools, and forward maintenance as they affect specific neighborhoods all across Houston.**

Fifth, we agree with the SuperNeighborhood Alliance that **when the public gets involved early on, there are fewer obstacles and costs** for the city and Public Works and Engineering and Planning (PWE/Planning) to overcome to move forward with a project. For example, striped bike lanes have caused numerous problems in Houston, not the least of which is no provision for maintenance, leaving neighborhoods to cut back grass and pick up litter where striped lanes do not have curbs. Further, the lack of pre-determined abatement and business loss measures can drive neighborhoods and offended stakeholders to costly litigation that would otherwise be wholly avoidable.

Sixth, and foremost from CTC's perspective, as soon as possible, and possibly superseding the public involvement processes for the Bike Plan, **the city should adopt an umbrella public participation ordinance** requiring meetings, hearings, and comments and a neighborhood outreach policy, and create a docket for ALL major PWE and Planning projects. An umbrella policy would better assure due process for all city issues, but especially for infrastructure projects.

Seventh. The City already has **detailed, formal provisions for neighborhood involvement** for issues such as traffic management although these provisions are perhaps too informal. Even without infrastructure and locational issues, an umbrella policy could track the pattern of the city's Traffic Management ordinance. (See ARTICLE XV. – Neighborhood Traffic Management Program, Sec. 45-361. – Definitions, *et seq*). The Bike Plan public involvement regulations and guidance could mimic or replicate the neighborhood involvement provisions of Article XV.

Finally, CTC would recommend the inclusion of better neighborhood outreach procedures for the Bike Plan to increase bike utilization. CTC is a co-founding member of the Houston Complete Streets Coalition, and we wish to give the strongest support possible to new modes and non-motorized modes of transportation and mass transit. Although not addressed in these comments urging a bottom-up approach for the city, is the issue of public education. Ride to Work days and months, and ride to event days are very good, but to get the most bang for the buck, bike path design and use public education needs to be far more repetitive and broader based. This broad based education and outreach could be done jointly between the city and H-GAC.

CTC would be happy to assist in bringing forward the Chapter 33 revisions for neighborhood involvement in bike path planning to a final draft in any way that the commission or the city deems appropriate.

Best Regards,

/s/ Dexter R. Handy, Lieutenant Colonel, USAF Retired
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