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**To: The District Four Commission**  
**From: Local Motion**  
**Date: February 6, 2012**  
**Re: Response to the City of Burlington's Proposed Findings of Fact and Conclusions of Law regarding the Champlain Parkway**

Local Motion appreciates the opportunity to present the following information to the District 4 Commission as part of Local Motion's role as a "Friend of the Commission" in the Act 250 process for the Champlain Parkway. **Our goal is to summarize our most significant concerns regarding the design of the Champlain Parkway and highlight several key issues that we see as substantially problematic with the City of Burlington's Proposed Findings of Fact and Conclusions of Law.**

**First, we would like to emphasize our ongoing commitment to neutrality with regard to the overall question of whether this project should be constructed.** Our intent in becoming involved in the process and in seeking "Friend of the Commission" status was (and remains) to provide the Commission and the public at large with useful information regarding the impacts of the proposed design - positive as well as negative - for walking and biking. Our goal in so doing is to ensure that, if the project is built, it will provide safe and efficient options for people traveling on foot and on bike.

**That said, we have serious reservations about the stance that the City of Burlington has taken in its Proposed Findings of Fact and Conclusions of Law.** In particular, we are concerned that the following statement calls into question the City's commitment to ensuring that the project effectively meets the needs of all users of the Parkway:

*The City has represented that it will explore whether any of the requested measures are possible to implement, but **the City's position is that none of the requests are required to ensure pedestrian or cyclist safety,** and the proposed project plans already include very good pedestrian and cyclist accommodations. (Item 187, p. 26; emphasis added)*

This statement raises two specific concerns:

1. It appears to be structured so as to avoid committing the City to implementation of any of the bicycle/pedestrian safety measures proposed by Local Motion (as well as by a number of the parties to these proceedings)
2. It focuses only on safety, ignoring entirely the “unduly congested” element of Criterion 5 and its proper application to bike-ped circulation<sup>1</sup>

**The first of these concerns is directly relevant to the Commission’s responsibilities, as it goes to the heart of whether the final constructed design of the Parkway will in fact be in keeping with the criteria on which it is being judged.** As we have noted previously, the City of Burlington has made a commitment to multimodal planning in the form of its excellent Transportation Plan and accompanying Design Guidelines. Particularly on this corridor - whose entire length is designated in the Plan as either a Complete Street or a Bicycle Street - the City has set a high standard for itself with regard to provision of safe and efficient accommodations for all modes. **As the Commission evaluates how best to ensure compliance with Criterion 10, we urge it to take very seriously the City’s apparent unwillingness to commit to fulfilling the intent of its own Transportation Plan.**

The second of these concerns is also of fundamental importance to the Commission’s deliberations. **While the City addresses particular proposed bicycle and pedestrian facilities in a number of passages throughout the Proposed Findings of Fact, this discussion of safety is the only passage where system-wide issues related to non-motorized transportation are addressed even in passing.** The Level of Service section, for example, is almost completely silent on the issue of how effectively the new design will facilitate the efficient movement of people by foot and bike. This is despite the fact that nationally approved tools are readily available for assessing how well an urban street serves the needs of all users.<sup>2</sup>

**We find it deeply troubling that the City has neglected to conduct any sort of systematic analysis of the degree to which this large-scale, urban-core transportation project will affect the mobility of any mode other than motorized vehicles.** As a recent analysis by Local Motion and the Chittenden County Metropolitan Planning Organization (now the Chittenden County Regional Planning Commission) shows, the mode shares for walking, biking, and transit are growing rapidly for the first time in over fifty years while single-occupant

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<sup>1</sup> Note that the Level of Service discussion in the Proposed Findings of Fact - which would be logical place to address the non-motorized equivalent of congestion - barely mentions bicycles and pedestrians at all.

<sup>2</sup> See, for example, the National Cooperative Highway Research Program’s *Report 616: Multimodal Level of Service for Urban Streets* ([bit.ly/bFX7qC](http://bit.ly/bFX7qC)).

vehicle trips are on the decline.<sup>3</sup> Despite these documented trends, the City makes it clear in its Level of Service discussion that its modeling for the next 20 years of growth along the corridor takes nothing but motor vehicles into account. **Particularly in the heart of Burlington - where foot and bike traffic are growing rapidly - a traffic analysis that relies exclusively on traditional Level of Service measures is fatally flawed with regard to demonstrating compliance with Criterion 5.**

Our past correspondence has laid out a series of proposed enhancements to the design that, in our professional judgment, are needed in order to ensure that the Champlain Parkway complies with Criteria 5 and 10. In the interest of brevity, we will not reiterate those specific concerns here. As the Commission formulates its ruling in this case, though, we hope that its members will give special consideration to the issues raised in this final letter. **Most important is the fact that, in our assessment, the evidence presented by the City at times provides answers to the wrong questions.** In particular, while the City describes in detail how the proposed design complies with the *letter* of its Transportation Plan, it leaves unanswered the question of whether the resulting street will in fact comply with the *spirit* of the plan. Similarly, while the City mostly answers the question of whether particular intersections will be improved for bicyclists and pedestrians, it fails to ask whether it will in fact be easier and safer to traverse the entire project corridor by foot or on bike once the project is built.

Thank you for your ongoing consideration of our perspective in this matter. We appreciate the time you have invested in this project, and in particular, the care with which you have examined the full range of issues at play. We look forward to your ruling on this important case.

Sincerely,

A handwritten signature in black ink that reads "Chapin". The signature is fluid and cursive, with a long horizontal stroke at the end.

Chapin Spencer  
Executive Director

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<sup>3</sup> From 2000 to 2010, the percentage of Chittenden County residents who walk to work increased by 30% and the percentage who bike/drive a motorcycle/take a taxi (all three are lumped in Census data) increased by 96%. At the same time, the percentage of commuters who drive alone dropped for the first time in over half a century. For more details, see [bit.ly/cASCmV](http://bit.ly/cASCmV).