

T&E COMMITTEE #1
September 17, 2018

MEMORANDUM

September 13, 2018

TO: Transportation, Infrastructure, Energy, and Environment (T&E) Committee
FROM: Glenn Orlin, ^{GO} Deputy Director
SUBJECT: Bicycle Master Plan
PURPOSE: Worksession #1

Councilmembers: Please bring your copy of the Final Draft and the Appendices to this meeting.

On May 7 the Planning Board transmitted its Final Draft of this functional master plan to the Council. This is the first of two Committee worksessions on this draft plan. During this first session the Committee will receive an overview by the Planning staff, followed by a review of overarching issues. The second session, tentatively scheduled for October 1, will address issues raised about individual bikeway proposals. The testimony at the Council's July 10 public hearing and much subsequent correspondence are summarized in a report from Jane Lyons, a 2018 Council Summer Fellow (©1-6). Subsequently, on September 10 Planning Chair Anderson transmitted proposed changes to the prioritizations in the Draft Plan (©7-9), and Planning staff has transmitted other miscellaneous revisions and corrections (©10-11).

1. Fiscal impact. The Regional District Act requires that the County Executive send a fiscal impact statement (FIS) on every final draft plan within 60 days of its transmittal to the Executive and Council. The Council received the FIS on September 12, about two months after the deadline. Given the complexity of the Draft Plan the Executive Branch needed extra time to complete the work. The transmittal from the Office of Management and Budget (OMB) is on ©12-17.

OMB describes the cost of the plan to be about \$3.1 billion. The OMB Director notes that budgeting all the near-\$70 million for bikeway projects in Priority Tier 1 would consume 86% of the capital reserve by the end of FY24, leaving very little fiscal capacity to add new schools, additions, and modernizations, roads, transit, police and fire stations, libraries and recreation centers, non-local parks, and other capital projects funded with General Obligation (G.O.) bonds.

However, the fiscal impact of this plan is considerably larger than \$3.1 billion. The FIS cost estimate does not include:

- *The cost of unbuilt bikeways in existing master plans.* The \$3.1 billion estimate is the proposed *increase* in planned bikeways over what is already included in the 2005 Countywide Bikeway Master Plan and subsequent master and sector plans. There is about \$500 million of bikeway projects in existing plans that are not yet built. A FIS should include *all* the projects required by a plan, not simply those that have been added since the last update of the plan.
- *The cost of proposed bikeways beyond Tier 4.* A FIS is supposed to identify all the facilities needed for its buildout, not just within the lifetime of the plan. The estimated cost of proposed bikeways beyond Tier 4 (here called “Tier 5”) is nearly \$2 billion. The FIS assumes that all of Tier 5 would be built by developers, but this is an extremely heroic assumption.
- *The loss of impact tax revenue through credits.* The \$3.1 billion estimate assumes only the direct “public” cost of the newly proposed bikeways; the FIS assumes that a substantial portion of the bikeways will be built through exactions from the private sector. The Council has received testimony from the development industry claiming that such exactions should not be automatically expected, given the proportionality rulings in recent Supreme Court cases (©18-23). However, even if the Planning Board is correct, by law developers required to build bikeways nevertheless can apply for a dollar-for-dollar credit against their transportation impact tax payments. This reduces County revenue that can be used for other transportation projects, so it should be considered as much of a fiscal impact as a direct public expenditure.
- *Land acquisition costs.* An unknown portion of the planned bikeways can be built without additional right-of-way. However, certainly some of the bikeways will require the purchase of land. The FIS includes the further heroic assumption that there will be no land costs to be borne by the County.
- *Inflation.* The FIS is in 2018 dollars. As time goes on the unit costs of bikeways will grow, but—at least through FY24—the spending affordability guidelines limits G.O. bond spending to \$300 million annually in *current* dollars. Capital funding cannot be assumed to rise with construction cost inflation, unless new or higher taxes are enacted.

Note also that the plan does not address bikeways within Rockville and Gaithersburg, which are assumed to be the responsibility of the respective municipalities to implement. The table below is a summary the fiscal impact of the plan, depending on how it is characterized:

	Public Cost	Private Cost	Total Cost
Incremental FIS: increase over current plans, Tiers 1-4 only	\$3,065,900,000	\$1,057,800,000	\$4,123,700,000
Full FIS: all unbuilt bikeways, including current plans and Tiers 1-5	\$3,482,400,000	\$3,019,800,000	\$6,502,200,000

Tables showing more detail of the incremental and full fiscal impacts of the Draft Plan are on ©24-27 and ©28-31, respectively.

So, even with discounting land acquisition and inflation-related costs, the fiscal impact of this plan is about \$6.5 billion. To put this figure into context, note that the FY19-24 CIP has budgeted \$225 million for pedestrian facilities (sidewalks, mostly) and bikeways. In addition, some bikeways are programmed as ancillary to road projects (e.g., Montrose Parkway East and Observation Drive Extended). If one were

to assume that the 6-year CIP includes a \$300 million investment in bikeways—or \$50 million annually—then, at the current spending rate, the unbuilt bikeways in the plan would take 130 years to complete.

The Planning Board Chair has responded to the FIS, acknowledging that while the total fiscal impact is \$6.5 million, some of the costs should not be counted as Bicycle Master Plan costs (©32-33). He avers that only the bikeways in Tiers 1-4 should count against the Bicycle Master Plan, but that ignores that other bikeways are still in the County master plans. He states that \$1.8 billion in the plan for shoulders are needed for highway safety; nevertheless, the State and County do not have widening projects to provide shoulders. He notes that \$0.5 billion of bikeways would be paid through development approvals, but as noted above, developers can receive credits against their impact taxes for doing so. He states that many bikeways are hiker-biker trails serving pedestrians as well as bicyclists, but would hiker-biker trails be built if not for the needs of bikers? Finally, he notes that many bikeways will not be implemented; while that may be the case, why are they all master-planned?

In short, the current scope of the Draft Plan is not affordable, in either the short or long run. One way to reduce this cost while generally respecting the Planning Board’s priorities is to delete from the master plan the projects in Tiers 4 and 5, and many (but not all) of the bike-able shoulders in Tier 3. This would bring the total fiscal impact (again, not including land and inflation costs) to somewhere between \$2.5-\$2.8 billion. This smaller set of projects would still take 50 years to build out at current spending rates, or perhaps 35-40 years with a higher emphasis on bikeways than has been the case over the past decade.

The Committee should discuss with the Chairman and staff means for reducing the scope of this plan by more than half, whether it be deleting Tiers 4 and 5 and part of Tier 3, or a more surgical approach. If the latter, the Planning Board may need more time than is available before the next worksession (i.e., two weeks) to develop a reduced plan.

2. Timing of improvements. As referenced above, the Draft Plan prioritizes its recommendations into tiers of projects:

Tier	Miles	To Be Completed By
Priority Tier 1 (p. 152)	11	2024
Tier 1 (pp. 153-160)	45	2024
Tier 2 (pp. 162-170)	59	2028
Tier 3 (pp. 172-180)	135	2038
Tier 4 (pp. 182-188)	83	2043
“Tier 5”	439	Beyond 2043

While it is useful to have tiers as guide for ordering the implementation of bikeways, a master plan is not a capital improvements program. Council staff is not familiar with any master plan that sets dates for project completions, whether it be for a road, transit line, park, or school. There are staging elements in master plans that require certain facilities to be built before a certain level of development can occur, but even in these cases completion dates are not specified.¹ The time requirements for completing each tier should be deleted from the Final Draft.

¹ For example, one of the staging requirements in the 1994 Bethesda CBD Sector Plan was that certain bikeways were to be implemented before proceeding to Stage 2 of development in Bethesda.

3. Removing travel lanes and parking lanes. In several locations in the Draft Plan, it is noted that in many cases the means to create a bike lane is to remove a travel lane or on-street parking. This should not be a given. Several have testified the obvious fact that removing a travel lane will increase congestion, and that removing a parking lane might hurt local businesses.

The Draft Plan should include specific language stating that removal of any travel or parking lane for a bikeway must be approved by the Department of Transportation, and that in no case should a travel lane be removed if by doing so an intersection would fail the applicable Local Area Transportation Review (LATR) standard. Even with this restriction, however, it is likely that there will be many opportunities where a travel and/or parking lane may be removed without a significant impact.

4. Goals and objectives. The Draft Plan outlines four goals and several objectives within each goal (pp. 19-33). The goals are:

1. Increase bicycling rates.
2. Create a highly connected, convenient and low-stress bicycling network.
3. Provide equal access to low-stress bicycling for all members of the community.
4. Improve the safety of bicycling.

The Suburban Maryland Transportation Alliance (SMTA) believe safety should be the #1 goal (©34-37). However, the goals in the Draft Plan are not in any particular priority order.

Under the connectivity goal, there are objectives that there be a low-stress bikeway network within 2 miles of each transit station (Objective 2.2) and each library, recreation center, and regional park (Objective 2.4), and that there be low-stress networks within 1-mile, 1.5-miles, and 2 miles of each elementary, middle, and high school, respectively (Objective 2.3). Potomac Pedalers and Bike Maryland recommend the low-stress network radius be 5 miles for all these public facilities, noting that, at 15 mph, 5 miles can be traversed in 20 minutes (©38-42). This assumes no stopping at traffic signals, however. Furthermore, most transit stations, schools, and community centers primarily serve residents within a 3-mile radius. Council staff recommends setting the standard at 3 miles rather than 2 miles.

Potomac Pedalers and Bike Maryland also advocate applying a more comprehensive equity metric than simply measuring how communities are served that have less than 60% of the County's median income. The Office of Legislative Oversight is working on an analysis of equity measures, but its report is not due for several months. Council staff believes the income metric is sufficient for now; should other metrics be developed, they can be applied whether or not they are mentioned in a master plan.

5. Outreach. The Draft Plan describes the various ways by which the Planning Board and staff have reached out to the community to gain input on this plan (pp. 201-228). While this is useful information in a Final Draft, it should not be part of the final Adopted Plan, which should be confined to goals and objectives, and recommendations on projects and policies. This section should not be included in the Adopted Plan.

MEMORANDUM

August 1, 2018

TO: Glenn Orlin, Deputy Council Administrator
CC: Montgomery County Planning Board
FROM: Jane Lyons, Summer Council Fellow
SUBJECT: Public Testimony on the May 2018 Bicycle Master Plan Draft

Executive Summary

The following memorandum includes specific constructive feedback to the May 2018 draft of the Bicycle Master Plan. Although testimony was overwhelmingly supportive, many community members also expressed concerns and gave feedback regarding the plan's visions and underlying assumptions, goals, objectives, financing, legal and policy framework, implementation, prioritization, and more.

Background and Overview

In May 2018, the Planning Board released a draft of the new Montgomery County Bicycle Master Plan (BMP). There was a public hearing regarding the draft on the evening of July 10, 2018 where 26 community members signed up to testify. The testimony was overwhelmingly in favor of the plan (81 percent), with two testifying in support with amendments and four opposed. Residents positively commented on how the plan's implementation would improve safety for all residents, accessibility, regional connectivity, health disparities, and the affordability of transportation options. The importance of creating a low-stress network was strongly emphasized by most supporters. Further, multiple testifiers expressed satisfaction with the county's engagement of stakeholders and community members in crafting the plan and urged the Council to fully fund the plan. The following sections contain critiques of and recommended amendments for the BMP by both those in support and the opposition.

Defining the Vision

Vision and Assumptions

- Reassess becoming a "world class bicycling community." The Suburban Maryland Transportation Alliance (SMTA) urged the Council to consider the other challenges that the county is facing, including other transportation challenges, that will compete for limited funding. (p. 11, 19)
- Reevaluate the cost-benefit ratio of whether adding 639 miles of separated bike lanes for \$110 million is a positive cost-benefit ratio to serve people who are not guaranteed to cycle more, as recommended by SMTA.
- Focus more on recreation, since that is what people who cycle are primarily interested in, as proposed by the SMTA.
- Reconsider the emphasis on 456 miles of shared use paths, which averages \$720,000 nationwide, in order to adopt a more implementable plan, as suggested by SMTA.

Goals

- Make safety Goal 1, instead of the fourth goal. This was proposed by representatives of both the Montgomery County Civic Federation (MCCF) and SMTA. The Greater Colesville Citizens Association (GCCA) also recommended making safety a reporting proposal, not just an objective. (p. 19, 32-33)
- Eliminate Goal 1 because an increase in bicycling rates will come from achieving Goal 2 of creating a highly-connected, convenient, and low-stress bicycling network, as proposed by GCCA. (p. 19)

- Provide additional research to support demand projections, such as those outlined in Goal 1, as requested by the Greater Silver Spring Chamber of Commerce (GSSCC). (p. 20-23; *Appendix E*, p. 2-11)
- Update and replace Goal 3 to use equity targets and measures of progress relevant to active and multimodal transportation, as provided by the Office of Legislative Oversight's (OLO's) report's recommendations upon the report's acceptance in FY19 by the Council. Potomac Pedalers further proposed that the OLO baseline report should include transportation equities in addition to education, employment, housing, health, and other measures of opportunity. (p. 30-31)

Objectives

- Extend metric from 2-mile to 5-mile radius from service centers, excluding the elementary and middle school metric, in Objectives 2.2, 2.3, and 2.4, as proposed by Potomac Pedalers. (p. 25-26)
- Ensure funds are distributed evenly within each region to provide equal access, not based on the income of residents as identified in Objective 3.1, as proposed by GCCA. (p. 31)

Achieving the Vision

Cost and Financing

- Fully fund all Tier 1 bikeways as soon as possible, as encouraged by SMTA. (p. 151-160)
- Analyze the economic costs of implementation, as recommended by GSSCC, which also suggested testing an improved bicycling system in a few communities to assess changes in public demand before adopting the BMP. In addition, GCCA expressed concern regarding costs to relocate utilities.
- Create a plan for when funding would become available for upgrading existing bicycle facilities, as requested by SMTA.
- Include cost estimates or rules-of-thumb for "per foot or per mile" costs for various types of facilities, as recommended by SMTA.
- Identify a dedicated funding source to pay for bike lanes, such as a tax on the purchase of bicycles or a bicycle licensing fee, as proposed by GSSCC. Registering, licensing, and insuring bicycles was also supported by individual Max Bronstein. GSSCC was especially concerned that implementation costs would be borne by property owners, developers, and members of the business community, and that the additional cost of building would further increase housing prices.
- Adopt a standard fee schedule rather than have developers design and cost out a concept plan so they can be assessed to contribute *pro rata*, as suggested by SMTA. (p. 139)
- Specify whether development and redevelopment projects will receive credits on their impact taxes for building planned bikeways, as asked by SMTA.

Legal and Policy Framework

- Reevaluate Recommendation 2.1 to authorize lower posted speed limits. SMTA encourages the Planning Board to solicit additional input due to potential negative effects on safety and congestion. (p. 111)
- Create regulatory and contractual safeguards to quickly and efficiently reposition dockless bicycles from inappropriate residential locations, as recommended by the Wheaton Hills Civic Association.

Implementing the Vision

General Implementation

- Consider the health impacts of placing bicyclists on roadways with high pollutants when determining where new bikeways will be built, as recommended by individual Debora McCormick.

- Clarify how the Subdivision Staging Policy relates to the plan, as recommended by SMTA.
- Ask the state to remove markings that direct bicyclists to use the right lane on very busy state roads, suggested by individual Michael Meszaros.
- Remove the potential of eliminating travel lanes to accommodate new bike lanes since their removal could negatively impact congestion and is contrary to other master plans for transit and road networks, as conjectured by SMTA. (p. 145)
- Analyze any proposals to remove on-street parking to ensure that the removal will not hurt any businesses. SMTA recommends that the plan should include language that ensures implementation will consider small business impacts when making decisions about parking. (p. 145)
- Eliminate the small area infrastructure plans to save time and costs, as recommended by SMTA, which views the plans as an unnecessary layer. (p. 124-125)
- Take future transportation projects into consideration, such as current plans for bus rapid transit (BRT) as well as the future Purple Line light rail, as suggested by GSSCC. GCCA noted that it appears that some projects outlined in the plan will be using lanes that are planned to be used for BRT.
- Perform traffic analyses before installing separated bike lanes, as suggested by GSSCC. This recommendation grew from concerns shared by individuals Michael Meszaros and Melvin Tull about travel lanes and on-street parking being reduced or eliminated, which would cause increased congestion, especially in Silver Spring along Spring Street and Cameron Street. (p. 154, 159, 349, 350, 356, 360)
- Revise language regarding development approvals, as recommended by GSSCC. The current language creates standards to which all development must conform to accommodate various types of bicycle facilities. GSSCC laid out an argument for the potential unconstitutionality of any mandatory requirements. (p. 139-142)
- Consider how to make on- and off-ramps safe, as recommended by MCCF. (p. 72, 83)
- Refrain from using floating transit islands because they restrict traffic movement in downtown areas with narrow streets, as recommended by individual Michael Meszaros. (p. 83)

Specific Project Implementation

- Do not narrow streets in Silver Spring because they are already too narrow to allow for vehicle movements, parking, and protected bike lanes, as recommended by individual Michael Meszaros. Meszaros pointed out that Fort Collins, which is used as an example in the plan, changed narrow streets into one-way streets once bike lanes were introduced. Melvin Tull shared this concern, referencing current protected bike lanes in Silver Spring, which Meszaros pointed out conflicted with two major building projects and does not leave enough room for bike lanes, a buffer, car parking, and a road.
- Eliminate the Breezeway Network, as recommended by GCCA, which sees the network as costly; largely for leisure, not mobility; and would require the removal of residential and commercial property. GCCA specifically discussed takings along Randolph Road, East Randolph Road, and Route 29 south of New Hampshire Avenue, which is not included in the Transit Master Plan. (p. 68-78; *Appendix I*)
- Do not build some planned suburban bikeways, such as on the south side of Cherry Hill Road, Briggs Chaney Road, Greencastle Road, and Fairland Road east of Route 29, as recommended by GCCA. (p. 152, 155, 174, 185, 263, 272, 373)
- Retain more existing roadway shoulders and similar striped bikeways while also providing low-stress bikeways on those same roads, including on Tuckerman Lane, Darnestown Road, Briggs Chaney Road, Norwood Road, Ridge Road, Fairland Road, Kemp Mill Road, Knowles Avenue, Plyers Mill Road, Little Falls Parkway, and Dufief Mill Road, as recommended by Montgomery

Bicycle Advocates (MoBike). MoBike also proposed keeping the shoulders of Old Georgetown Road and adding a shared use path as a low-stress option.

- Begin the Utility Corridor Trail #1 at Cabin John Park, which would include an important segment, as proposed by MoBike. (p. 82)
- Keep planned elements in Silver Spring, including along Fenton Street, East-West Highway, and Colesville Road between East-West Highway and Wayne Avenue, as supported by individual Martin Posthumus.
- Support the Neighborhood Greenways further by preventing heavy-duty vehicles from entering those areas, as recommended by individual Debora McCormick. She especially expressed support for the Silver Spring Avenue Neighborhood Greenway and Wayne Avenue/Fenton Street – Philadelphia Avenue Neighborhood Greenway, as opposed to separated bike lanes. (p. 113, 118)
- Consider options for the north side of Wilson Lane because it is already too congested, according to individual Ira Raskin. He described how the planned option would not be feasible due to road size constraints and urged the Planning Board to consider instead a 10-foot shared sidepath alternative or creating other options along less congested, narrow roads that lead to downtown Bethesda. (p. 19-22)
- Mark MD 188 with more visible signage for road sharing, as recommended by individual Ira Raskin. (p. 240, 247, 250)
- Do not relocate cyclists off the Silver Spring Green Trail, as recommended by individual Melvin Tull.

Prioritizing the Vision

Prioritization Formula

- Prioritize the implementation of projects in low- and moderate-income communities, as recommended the American Heart Association. The Washington Area Bicyclist Association specifically recommends focusing on implementation in Langley Park and Wheaton. (*Appendix E*, p. 2-11)
- Use safety as the key criterion for prioritization, as proposed by SMTA. SMTA testified that there is no accident data provided and none of the four tiers specify safety as a criterion, so it is hard to tell if the most dangerous locations are the highest prioritized. Further, high-demand, dangerous recreational routes should not remain in Tier 3 priority – dangerous locations should be in Tier 1. The Pedestrian Bicycle & Traffic Safety Advisory (PBTSA) names trail crossings such as the Capital Crescent trail crossing at Little Falls and the Matthew Henson trail crossing at Turkey Branch Parkway as areas for particular concerns. (p. 152, 172)
- Create interim separated bike lanes only for urgent safety locations, as recommended by SMTA. (p. 124, 126-132, 136-138, 149)
- Ensure that access to mass transit is more of a factor than ease of implementation or low cost, as recommended by SMTA. (*Appendix E*, p. 8)
- Prioritize and revise the timelines for the 160 Tier 1 projects to better reflect reality and assist implementation, as proposed by SMTA. (p. 152-160)
- Prioritize improvements in bicycle facilities within the designated Bicycle and Pedestrian Priority Areas, including Glenmont, Grosvenor, Silver Spring, Veirs Mill, and Wheaton, as proposed by PBTSA.
- Prioritize improvements in areas where nearby construction is underway, such as in the Wheaton Central Business District and along the Purple Line construction from Silver Spring to Bethesda, as proposed by PBTSA.
- Give higher priority to planned Breezeway Networks along or adjacent to arterial roadways, as proposed by PBTSA.

Specific Project Prioritization

- Amend the prioritization for Bradley Boulevard from Wilson Lane to Fairfax Road from Tier 4 to Tier 1, as recommended by the South Bradley Hills Neighborhood Association (SBHNA). (p. 184)
- Include in the bikeway tables and give Tier 1 priority to the recommendation to put a sidepath or sidewalk on Dale Drive between Woodland Drive and Piney Branch Road, which is currently a footnote, as recommended by individual Alain Norman. (p. 352, 358)
- Give Tier 1 priority to the area around Sam Eij Highway and the crossing of Route 355 near Grosvenor/Tuckerman due to its dangerous conditions, as recommended by SMTA. (p. 172)

Outreach and Education

- Create a "Bicycle Safety Education Plan," as proposed by individual Michael Meszaros, who suggested the county look towards Fort Collins, Colorado as an example. In addition, GSSCC recommended that education efforts should be geared towards current cyclists as well as new ones. AHA also expressed support for more education programs.
- Improve communicate and education efforts about programs like MCLiberty, which provides free memberships to bikeshare for those that meet income eligibility requirements, as suggested by the Wheaton Hills Civic Association.
- Expand and fund the Safe Routes to School Program, which is not mentioned in the plan, as recommended by the MCCF. MCCF also brought up the issue of some principals not permitting students to bicycle to school.
- Create a "Bikes for the Schools" program based off of the "Bikes for the World" program, which would take donated bicycles from students who outgrew them and give them free to students who qualify for free and reduced meals (FARMS), as proposed by MCCF.

Miscellaneous

- Clarify whether the Design Toolkit is a guide or a requirement, as asked by SMTA.
- Develop a third document that pulls out the "plan elements" that should be adopted – one that stakeholders, developers, and transportation professionals will use, as recommended by SMTA.
- Cross-tabulate the BMP with other regional master plans and related CIP projects, as proposed by SBHNA.
- Incorporate seniors using battery-powered bikes and adult tricycles into future bicycle planning, as recommended by individual Max Bronstein.

Testifiers and Affiliation

	Name	Affiliation	Position
1	Christopher Arndt	Individual	support
2	Gerod Blue	American Heart Association	support
3	Max Bronstein	Individual	support with amendments
4	Will Carrington	South Bradley Hills Neighborhood Association	support
5	Jack Cochrane	Montgomery Bicycle Advocates (MoBike)	support
6	Heidi Coleman	Individual	support
7	Sean Corbett	Wheaton Hills Civic Association	support
8	Kristy Daphnis	Pedestrian Bicycle & Traffic Safety Advisory	support
9	Peggy Dennis	Montgomery County Civic Federation	support
10	Darrel Droblich	Individual	support
11	Peter Gray	Washington Area Bicyclist Association	support
12	David Helms	Potomac Pedalers	support
12	Helga Luest	Individual	support
13	Jeremy Martin	Individual	support
14	Debra McCormick	Individual	support
15	Michael Meszaros	Individual	support with amendments
16	Alain Norman	Individual	support
17	James Norman	Individual	support
18	Martin Posthumus	Individual	support
19	Ira Raskin	Individual	oppose
20	Susan Reutershan	Greater Silver Spring Chamber of Commerce	oppose
21	Tina Slater	Sierra Club, Montgomery County Group	support
22	Susan Swift	Suburban Maryland Transportation Alliance	support
23	Melvin Tull	Individual	oppose
24	Leah Walton	Individual	support
25	Zachary Weinstein	Individual	support
26	Dan Wilhelm	Greater Colesville Citizens Association	oppose



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

To: Transportation, Infrastructure, Energy and Environment Committee

From: Casey Anderson, Chair, Montgomery County Planning Board

Date: September 10, 2018

Re: Proposed Changes to the Bikeway Prioritization in the Planning Board Draft of the Bicycle Master Plan

Recommendation: The Montgomery County Planning Department, in consultation with the Montgomery County Department of Transportation, recommends several changes to the prioritization of bikeway infrastructure proposed in the Planning Board Draft of the Bicycle Master Plan. The revised prioritization will provide a more expeditious and efficient approach to achieve the plan's goals of increasing bicycling rates in Montgomery County (Goal 1) and ensuring an equitable distribution of low-stress bicycling to low-income areas of the county (Goal 3). The attached table identifies the recommended changes to bikeway prioritization and the justification for each proposed change.

Background: The network of bikeways recommended in the Bicycle Master Plan is extensive and is likely to be only partially implemented during the 25-year life of this plan. Such a large network is proposed so that opportunities to implement the preferred bicycling network are not lost when yet unknown circumstances arise, such as future capital projects and development applications. Because this network is so large it is important to identify and prioritize bikeway investments. To that end the Bicycle Master Plan identifies about 350 miles of bikeways that are to be implemented during the 25-year life of the plan and organizes them into four tiers with Tier 1 receiving the highest priority and Tier 4 receiving the lowest priority.

The approach to prioritizing the bicycling network is based on reaching the targets established for each metric in the Goals, Objectives, Metrics and Targets section of the plan. The goals focus on increasing bicycling in the county as quickly as possible and ensuring an equitable distribution of low-stress bicycling, by focusing initial efforts on constructing networks of bikeways in places that the Montgomery County Council has designated as Bicycle Pedestrian Priority Areas (BiPPA) and by completing connections between major activity centers to low-income areas. Also prioritized are missing gaps in the existing low-stress bicycling network and low-cost bikeways, such as neighborhood greenways, which will funnel bicyclists to the BiPPAs.

In summary, these recommended changes to the prioritization of bikeway infrastructure proposed in the Planning Board Draft of the Bicycle Master Plan will achieve the plan's goals of increasing bicycling rates and ensuring an equitable distribution of low-stress bikeway infrastructure in a more efficient and timely manner.

Recommended Changes to Bikeway Prioritization

Road Name	Bikeway Type	From	To	Existing Priority	Proposed Priority	Justification
Lyttonsville Pl	Separated Bike Lanes	Brookeville Rd	Lyttonsville Rd	Tier 2	Tier 1	Connects to the Capital Crescent Trail and the Lyttonsville Purple Line station, which will be operational by 2022.
Lyttonsville Rd / Grubb Rd	Separated Bike Lanes	East-West Hwy	Lyttonsville Pl	Tier 2	Tier 1	
Lyttonsville Rd / Michigan Ave / Pennsylvania Ave / Sundale Dr	Neighborhood Greenway	Lyttonsville Pl	East-West Hwy	Tier 2	Tier 1	
University Blvd (south side)	Sidepath / Separated Bike Lanes	Connecticut Ave	Veirs Mill Rd	Tier 2	Tier 1	Provides a direct connection between downtown Kensington and downtown Wheaton. Staff believes that University Blvd may have excess capacity and that traffic lanes could be repurposed for the bikeway.
Wendy La, Loyola St, Ralph Rd, Holdridge Rd, May St, Estelle Rd, Kayson St, Flack St, Judson St	Neighborhood Greenway	Georgia Ave / Wendy La	Georgia Ave / Layhill Rd	Tier 2	Tier 1	Completes the connection between Aspen Hill and Glenmont, improving low-stress connectivity from a low-income area to the Red Line. Neighborhood greenways are low-cost bikeways, though some segments of this route would likely require construction of a sidepath and a bridge.
Sudbury Rd / Plymouth St / Walden Rd	Neighborhood Greenway	Franklin Ave	Arliss St	Tier 2	Tier 1	Completion of this bikeway will expand connections to the Long Branch Purple Line Station, which will be operational by 2022. Neighborhood greenways are low-cost bikeways.
Prosperity Dr	Sidepath	Cherry Hill Rd	Tech Rd	Tier 3	Tier 2	Completion of this bikeway will connect the bikeways to be constructed by the Washington Adventist Hospital and Viva White Oak development projects.
Lorain Ave, Woodmoor Circle, Woodmoor Dr, Pierce Dr, Lexington Dr	Neighborhood Greenway	US 29	University Blvd	Tier 3	Tier 2	Completion of these segments will create a continuous bikeway to downtown Silver Spring.
Fairway Ave, Caroline Ave, Franklin Ave, Bennington La, Bennington Dr, Ellsworth Dr	Neighborhood Greenway	Montgomery Blair High School	Sligo Creek Pkwy	Tier 3	Tier 2	

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Recommended Changes to Bikeway Prioritization

Road Name	Bikeway Type	From	To	Existing Priority	Proposed Priority	Justification
Arcola Ave	Sidepath	Grandview Ave	Amherst Ave	None	Tier 2	Completion of this segment will create a continuous, high-quality bikeway between Aspen Hill and Downtown Wheaton.
Veirs Mill Rd (south side)	Sidepath	Twinbrook Connector Trail	Glorus Pl	Tier 3	Tier 2	The Veirs Mill Corridor is the only Bicycle Pedestrian Priority Area that existed when the Bicycle Master Plan Planning Board Draft was completed without substantial improvements in bicycling connectivity in Tier 1 and Tier 2.
Glorus Pl and College View Dr	Neighborhood Greenway	Veirs Mill Rd	Veirs Mill Rd	Tier 3	Tier 2	Consistency with the T&E Committee's recommendation to implement an off-road bikeway in conjunction with bus rapid transit improvements. A significant portion of the south side of Veirs Mill Rd does not have sidewalks.
Burtonsville Access Rd	Sidepath	MD 198	MD 198	None	Tier 2	In July 2018, the County Council created a Burtonsville BiPPA as part of the Master Plan of Highways and Transitways. Consistent with the prioritization methodology, substantial improvements should be made in a BiPPAs by completion of Tier 2 of the Bicycle Master Plan. MDOT / SHA is planning improvements to MD 198, which will connect to the Burtonsville Access Road. The Burtonsville Access Road is programmed for design / land acquisition in the 6-year capital budget and construction in the out years.

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Bicycle Master Plan Errors and Recommended Changes

Recommended Changes

- Forthcoming memo on changes to bikeway prioritization.
- Page 83: Replace “Interstate Ramps” section as follows:

Freeway Crossings: Freeway ramps present significant safety concerns for crossing pedestrians and bicyclists. Motorists tend to accelerate to freeway speeds on entrance ramps and are often more focused on finding a gap to merge into traffic at exit ramps and less aware of non-motorized users crossing the ramps. To eliminate these impediments and improve the safety of pedestrians and bicyclists, the following design standards and considerations for designing and constructing safe, comfortable, grade-separated crossings are recommended.

New freeways, freeways undergoing major change or stand-alone capital projects will include grade-separated crossings for bisecting road networks. Preferably, these grade-separated crossings will avoid crossing freeway ramps. Grade-separated crossings will:

- Be a minimum of 12 feet wide (2-foot-wide buffer, 8-foot-wide sidepath, 2-foot-wide buffer) between walls and railings where the connecting bikeway is a sidepath and a minimum of 17 feet wide (2-foot-wide buffer, 8-foot-wide striped two-way separated bike lanes, 5-foot-wide sidewalk and 2-foot-wide buffer) where the connecting bikeway is separated bike lanes.
- Strive to make all locations on the crossing visible from both ends of the crossing.
- Avoid sharp-angled turns.
- Include pedestrian-scale lighting.
- Provide intuitive wayfinding.
- Incorporate welcoming public art and aesthetic features.

Freeways that are undergoing minor or no changes will preferably include traffic signalization to reduce conflicts between motorists and ramp crossers. The goal of signalizing freeway ramps is to minimize conflicts between motor vehicles, bicyclists and pedestrians while maximizing visibility between all modes in constrained right-of-way. Unsignalized treatments with geometric changes are not recommended and should only be considered when overpasses, underpasses and signalized ramps are not feasible.

Montgomery County’s Bicycle Facility Design Toolkit (Appendix B) provides additional details on freeway crossing treatments.

- Page 148, Third paragraph: Change “can” to “should”
- Page 184: Bowie Mill Rd should be prioritized from Muncaster Mill Road to Olney-Laytonsville Road (MD 108).
- Page 199: Update Objective 4.1 with 2017 data: 12 serious injuries and 0 fatalities.
- Pages 314, 315, 328, 330: Update Tuckerman Lane bikeway recommendation based on direction from T&E Committee on October 11.
- Page 373: Prosperity Drive: Change “Sidepath (West Side) to “Sidepath (East Side)” per discussion as part of US 29 BRT project. South of Tech Rd the sidepath is on east side and the crosswalk at Cherry Hill Rd is on east side.
- Page 376: Include list of volunteers: Jon Morrison.

Bicycle Master Plan Errors and Recommended Changes

Errors

- Page 5, last bullet: change "facilities" to "fatalities"
- Page 158: Add the Piedmont Crossing Trail between Brown St and Crabbs Branch Way

Piedmont Crossing Trail	Brown St	Crabbs Branch Way	Off-Street Trail	Derwood	0.1
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- Page 265: For the Ridge Road bikeway, "Oak Drive" should be changed to "Oak Drive (North)".
- Page 315: Last Row: in the "from" column change "Twinbrook Pkwy" to "City of Rockville". In the "Bikeway Type" category change "Sidepath (Both Sides)" to "Sidepath (South Side)"
- Page 318: add a row:

Veirs Mill Rd	City of Rockville	Rock Creek Trail	Separated Bikeway	Sidepath (North Side)	
---------------	-------------------	------------------	-------------------	-----------------------	--

- Page 328: The MacArthur Blvd bikeable shoulders were inadvertently removed from the map and should be added back in. They are shown on the table.
- Appendix J, Page 3: Change "Burlington Ter" to "Burling Rd / Burling Ter"



OFFICE OF MANAGEMENT AND BUDGET

Isiah Leggett
County Executive

Jennifer A. Hughes
Director

MEMORANDUM

September 11, 2018

TO: Hans Riemer, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget

SUBJECT: Fiscal Impact Statement for the Bikeway Master Plan

Please find attached the fiscal impact statement for the Bikeway Master Plan.

The Fiscal Impact Statement for this Master Plan indicates it will potentially add over \$3 billion in County capital costs over the next 25 years. This calculation does not include any land acquisition costs, which will also be substantial. The implementation schedule presented in this Master Plan is aggressive and given the County's fiscal policies, sets unrealistic community expectations.

While the County Executive supports the Planning Board's effort to encourage bikeway use throughout the County, implementing the scope and timing of the proposed plan would cause extreme duress to the capital and operating budgets. In FY19, the Council approved the Executive's recommendations to reduce GO bond issuance levels from \$340 million a year in FY18 to \$300 million by FY22, to reduce tax-supported debt service and to increase our budget flexibility. Funding the plan within existing CIP resources would force reductions in other compelling capital needs such as schools and mass transit projects and reduce our ability to address emergency situations. (As an example, Priority Tier 1 projects in the proposed Master Plan alone would require \$68 million, or 86 percent of the available GO bond set-aside for those years.)

Alternatively, increasing the Capital Improvements Program to implement this Plan would add significantly to our debt service at a time when the County faces considerable levels of mandated operating budget expenditures, with debt service being the fastest growing category. In the FY19 approved operating budget, close to two-thirds of general fund revenues were dedicated to Montgomery County Public Schools, Montgomery College and tax-supported debt service. Increasing debt service obligations would be contrary to maintaining fiscal resilience in the operating budget.

I urge the Council to consider these concerns as it reviews the changes to the Bikeway Master Plan.

Office of the Director

101 Monroe Street, 14th Floor • Rockville, Maryland 20850 • 240-777-2800
www.montgomerycountymd.gov

Hans Riemer, President
September 11, 2018
Page Two

I would also propose that the process for considering fiscal implications of master plans be reevaluated. The Office of Management and Budget is happy to work with Planning Board staff earlier in the process so that the Planning Board staff and Planning Board members have the benefit of a fiscal analysis as they carry out their deliberations.

JAH:aaa

cc: Bonnie Kirkland, Assistant Chief Administrative Officer
Glenn Orlin, County Council
Marlene Michaelson, County Council
Joy Nurmi, Special Assistant to the County Executive
Patrick Lacefield, Director, Public Information Office
Lisa Austin, Offices of the County Executive
Anita Aryeetey, Office of Management and Budget

**County Capital and Operating Cost Estimates Assumed to be Incurred as a Result of the
Bicycle Master Plan
9/11/2018**

Capital Improvement Projects

	Project	Mileage or Bike Spaces	Description	Public Cost
Priority Tier 1	Breezeways	2.7 mi	Includes Tier 1 bikeways specifically identified as Priority on p152 of the Planning Board Draft. Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	\$ 34,000,000
	Trails	0.0 mi		\$ -
	Separated Bikeways	6.5 mi		\$ 34,000,000
	Striped Bikeways	0.0 mi		\$ -
	Bikeable Shoulders	0.0 mi		\$ -
	Shared Roads	0.2 mi		\$ 1,000,000
	Dual-Facility	0.0 mi		\$ -
	Maintenance	9.4 mi		Total cost of Priority Tier 1 maintenance until 2045, assuming an average implementation year of 2022. Includes new equipment needs.
	SUBTOTAL		An average \$17m/yr from 2018 to 2022.	\$ 70,000,000
Tier 1	Breezeways	14.9 mi	Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	\$ 115,000,000
	Trails	0.4 mi		\$ 1,000,000
	Separated Bikeways	12.8 mi		\$ 74,000,000
	Striped Bikeways	0.1 mi		\$ -
	Bikeable Shoulders	0.0 mi		\$ -
	Shared Roads	12.6 mi		\$ 14,000,000
	Dual-Facility	1.2 mi		\$ -
	Maintenance	42.0 mi	Total cost of Tier 1 maintenance until 2045, assuming an average implementation year of 2024. Includes new equipment needs.	\$ 3,000,000
	Bike Parking Stations	3420 spaces		\$ 14,000,000
	Short-Term Bike Parking	839 spaces		\$ 1,000,000
	SUBTOTAL		Cumulative \$48m/yr from 2018 to 2024, or Incremental \$111m/yr from 2022 to 2024.	\$ 222,000,000

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Tier 2	Breezeways	14.9 mi	Due to more pressing need, it is likely that these would be constructed by standalone CIP projects rather than predominantly by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	\$	113,000,000	
	Trails	0.1 mi		\$	-	
	Separated Bikeways	18.9 mi		\$	195,000,000	
	Striped Bikeways	0.0 mi		\$	-	
	Bikeable Shoulders	0.0 mi		\$	-	
	Shared Roads	4.3 mi		\$	2,000,000	
	Dual-Facility	3.0 mi		\$	40,000,000	
	Maintenance	41.2 mi		Total cost of Tier 2 maintenance until 2045, assuming an average implementation year of 2028. Includes new equipment needs.	\$	5,000,000
	Bike Parking Stations	1170 spaces			\$	5,000,000
	Short-Term Bike Parking	996 spaces			\$	1,000,000
	SUBTOTAL		Cumulative \$65m/yr from 2018 to 2028, or Incremental \$90m/yr from 2024 to 2028.	\$	361,000,000	
Tier 3	Breezeways	44.2 mi	A share of these projects may be constructed by CIP projects, but a sizeable share are likely to be conditioned upon new development to construct or be part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	\$	289,000,000	
	Trails	0.0 mi		\$	-	
	Separated Bikeways	20.5 mi		\$	47,000,000	
	Striped Bikeways	0.0 mi		\$	-	
	Bikeable Shoulders	22.6 mi		\$	603,000,000	
	Shared Roads	19.8 mi		\$	10,000,000	
	Dual-Facility	25.6 mi		\$	514,000,000	
	Maintenance	132.8 mi		Total cost of Tier 3 maintenance until 2045, assuming an average implementation year of 2038. Includes new equipment needs.	\$	9,000,000
	Bike Parking Stations	410 spaces			\$	2,000,000
	Short-Term Bike Parking	122 spaces			\$	1,000,000
	SUBTOTAL		Cumulative \$106m/yr from 2018 to 2038, or incremental \$147m/yr from 2028 to 2038.	\$	1,475,000,000	

Tier 4	Breezeways	22.5 mi	It is likely that few of these projects will be built by standalone CIPs, but rather they will be built by new development or as a part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	\$	181,000,000	
	Trails	1.8 mi		\$	3,000,000	
	Separated Bikeways	16.7 mi		\$	57,000,000	
	Striped Bikeways	0.0 mi		\$	-	
	Bikeable Shoulders	24.5 mi		\$	560,000,000	
	Shared Roads	4.6 mi		\$	2,000,000	
	Dual-Facility	6.9 mi		\$	107,000,000	
	Maintenance	77.0 mi		Total cost of Tier 4 maintenance until 2045, assuming an average implementation year of 2043. Includes new equipment needs.	\$	2,000,000
	Bike Parking Stations	200 spaces			\$	1,000,000
	Short-Term Bike Parking	68 spaces			\$	-
	SUBTOTAL		Cumulative \$122m/yr from 2018 to 2043, or Incremental \$183m/yr from 2038 to 2043.	\$	913,000,000	
Misc	Bikeways Program - Minor Projects		Per 2.1 (p101) of the Planning Board Draft, focused on new and upgraded neighborhood connectors. Existing program is \$9.2m over 6 years. This value represents an additional 50% per year until 2045, and does not include the existing baseline \$9.2m/6yrs.	\$	20,000,000	
	BikeMontgomery Outreach Program		Per 3.1 (p103) of Planning Board Draft. Represents total costs from 2019-2045.	\$	3,000,000	
	Neighborhood Greenway Program		Per 3.3 (p104) of the Planning Board Draft. Represents total costs from 2019-2045. Focuses on wayfinding and marketing, as design/construction is accounted for in Tiered estimates.	\$	1,000,000	
	Bicycle Facility Education		Per 3.6 (p105) of Planning Board Draft. Represents total costs from 2019-2045.	\$	3,000,000	
	Bicycle Count Program		Per 3.7 (p105) of Planning Board Draft. Represents total costs from 2019-2045.	\$	2,000,000	
	Countywide Wayfinding Plan		Per 3.8 (p103) of Planning Board Draft. Represents total costs from 2019-2045.	\$	4,000,000	
	SUBTOTAL		An average \$1.2m/yr from 2018 to 2045.	\$	33,000,000	
Total Estimated Cost				\$	3,071,000,000	

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Notes

- (1) ROW - Right-of-Way is assumed to be dedicated, in accordance with typical master plan estimates. This may not be fully applicable particularly toward Tier 1 and Tier 2 bikeways as well as bike parking stations, which may advance at a sooner timeframe than redevelopment would likely dedicate ROW.
- (2) Previous Excluded - This table only shows new costs proposed by the master plan, and does not include costs already defined in previous master plans. An exception to this is in the case of Breezeways, where existing infrastructure is assumed to necessitate reconstruction.
- (3) Untlered Excluded - These estimates do not include proposed bikeways that are not categorized into a tier. Such bikeways are not anticipated to be built within the lifetime of the plan, other than potentially by development or ancillary to other projects.
- (4) CCT Bikeways - Both sets of Tier 1 as well as Tier 2 projects along the Corridor Cities Transitway are estimated as standalone projects; not assumed to be part of the CCT.
- (5) Breezeways - No such facilities have yet been built and no standards exist; it is likely that design standards for Breezeways will rapidly evolve as the County gains more experience with them. A 100% contingency was applied to all Breezeway segments to account for significantly increased design quality and impacts, and to provide fiscal leeway given the unknowns associated with these facilities.
- (6) Accuracy - Planning-level analyses aim to be within $\pm 50\%$ of the actual cost.
- (7) Variance - Costs were estimated via basic master planning-level methods for achieving program costs. This analysis is not intended to be a tool for affirming the costs of projects at an individual level.
- (8) Inflation - All Dollars are in 2018 Dollars.
- (9) Rounding - Individual values rounded up to nearest \$1,000,000, which is the cause of any apparent summation discrepancies.
- (10) Mileage - Mileage is given for helping to understand the scale of each tier. These mileage values may not match total mileage given in the plan for each tier, as these values exclude previously planned segments as well as those identified as highly likely to be built by development or as ancillary to another project.
- (11) Total estimated cost, including private sector investment, is \$4.4M. Majority of newly proposed bikeways are adjacent to State roads and may be eligible for State Aid. Total public cost includes both County and State costs. Approximately \$2.7B of the total \$4.4B comprises shoulders in rural areas.

LINOWES
AND | **BLOCHER LLP**
ATTORNEYS AT LAW

July 10, 2018

C. Robert Dalrymple
bdalrymple@linowes-law.com
301.961.5208

By Email

Council President Hans Riemer
and Members of the County Council
Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Re: Written Testimony for the County Council's Public Hearing on the May 2018 Planning Board Draft (the "Draft Plan") of the Montgomery County Bicycle Master Plan (the "Bicycle Master Plan") – Requested Clarifications and Changes to the Implementation Section

Dear President Riemer and Members of the Council:

On behalf of the Land Use/Zoning practice group at Linowes and Blocher LLP, we offer these comments to one specific issue that is critical to implementation of the goals and objectives of the Bicycle Master Plan. We support the Draft Plan's goal of creating a highly-connected, convenient and low-stress bicycling network in Montgomery County, as this will provide an alternative transportation option to the single-occupancy vehicle and enhance the quality of life in the County, create additional economic development opportunities, and support the land use visions embraced by various master plans.

We agree with the Draft Plan's statement that development projects must facilitate the future implementation of master planned "bikeways or protected intersections by dedicating land or establishing other necessary easements ... and ensuring that utilities, stormwater management facilities, streetscape improvements, landscaping, and other features do not conflict with the future implementation of the permanent bikeway." (Draft Plan, p. 139). The design of a development project should accommodate necessary right-of-way dedication (per the applicable master plan) and leave adequate space to accommodate the specific bikeway recommended.

However, while we support the goals and objectives of the Bicycle Master Plan to ensure compatibility between development projects and recommended bikeways, the responsibility for constructing or financing these bikeway projects is a separate and distinct issue. Since requiring a developer to construct a bikeway or otherwise pay for such bikeway along a project's frontage constitutes an exaction, the Draft Plan's recommendations on funding mechanisms for

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Council President Riemer
and Members of the Council
July 10, 2018
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implementing bikeway facilities through the development approval process must be consistent with the 2016-2020 Subdivision Staging Policy (the "SSP").

The SSP serves as the County's Adequate Public Facilities Ordinance and is intended to ensure that there are sufficient transportation facilities and capacity to accommodate existing and proposed development. The SSP is also designed to ensure that any transportation related exaction imposed through the development review process is roughly proportionate in nature and extent to the impact of the proposed development project. In this respect, the County Council adopted the SSP in a manner that recognizes that all exactions must satisfy the takings clause of the Fifth Amendment.

We note that the Supreme Court has analyzed whether a local government could require a landowner to dedicate a portion of its property for a pedestrian/bicycle pathway easement. *Dolan v. City of Tigard*, 512 U.S. 374 (1994). In *Dolan*, the Supreme Court found that "[n]o precise mathematical calculation is required, but the city must make some sort of individualized determination that the required dedication is related both in nature and extent to the impact of the proposed development." *Id.* at 391. Notwithstanding the fact that City of Tigard estimated that proposed development was estimated to generate 435 additional trips per day, the Supreme Court ultimately found that the City failed to meet its burden of demonstrating that the additional number of vehicle and bicycle trips generated by the proposed commercial development reasonably related to the city's requirement of dedication of pedestrian/bicycle pathway easement.¹ Since the Bicycle Master Plan recommends exactions for bicycle infrastructure (either through construction of the bikeways or provision of a pro-rata financial contribution), we urge the County Council to modify the implementation provisions of the Draft Plan to be consistent with the SSP (and lawful under the takings clause of the Fifth Amendment).

The Draft Plan states that "Montgomery County supplements its capital projects by requiring the construction of bikeways through the development approval process," and that "[d]evelopers are required to construct bicycle facilities within and along the frontage of their projects, as required by applicable master plans and local law." (Draft Plan, p. 139). While it is true that local law (i.e., the SSP) contemplates the construction or funding of bicycle lane improvements through the development review process (in coordination with other public and private funding sources through the CIP or otherwise), the SSP establishes the magnitude of transportation impact that legally supports conditioning the approval of a development project upon the construction of bicycle infrastructure (or payment of a pro-rata financial contribution). Significantly, the SSP requires bicycle infrastructure improvements for projects that generate 50 peak hour non-

¹ We note that the Court of Appeals recognized that the "rough proportionality" is applicable in the State of Maryland. *Steel v. Cape Corp.*, 111 Md. App. 1, 16 (1996).

Council President Riemer
and Members of the Council

July 10, 2018

Page 3

motorized trips or more (i.e., bicycle trips). (SSP, Section TL1 at p. 5). To this end, the County Council established a 50-trip threshold through the SSP as being roughly proportionate in nature and extent to the impact of proposed development to support the requirement of a financial contribution towards bicycle lane infrastructure. In order to be consistent with the SSP (and the takings clause of the Fifth Amendment), we respectfully request that the implementation section of the Draft Plan (pages 139-142) be revised to state that only projects that generate 50 or more non-motorized peak hour trips must construct bicycle infrastructure (or make a pro-rata financial contribution).²

In addition to the foregoing, we also recommend that the County Council clarify the process for the collection and use of pro-rata financial contributions for bicycle infrastructure projects. The Draft Plan states “[i]n cases where the Planning Department and MCDOT staff determine that the project is unsafe, the developer must pay a pro rata share of the proposed bikeway or protected intersections construction costs to an appropriate capital improvements project.” (Draft Plan, p. 139). As noted above, in order for any required financial contribution to be lawful, it must satisfy the takings clause of the Fifth Amendment. To this end, if a financial contribution to Montgomery County is required as a Planning Board condition of approval, such funds should be applied to a specific bicycle infrastructure project along the project’s frontage. We recommend that the Bicycle Master Plan establish a general framework for the timing and application of financial contributions that are collected by Montgomery County for bicycle infrastructure.

More specifically, the Draft Plan should be revised to state that Montgomery County must hold any collected funds in an escrow account for the specific bicycle improvement for a reasonable time period (6 years or less, which coincides with a CIP cycle) to ensure that the funds are applied to the specific bicycle improvement sought (as opposed to being used for any unrelated

² In addition to the Draft Plan’s recommendation that all projects provide funding for master-planned bicycle improvements, the Development Impact Tax for Transportation Improvements (the “Impact Tax”) is already designed to ensure that all projects are paying their fair share of bicycle infrastructure improvements. Section 52-50(e) of the Montgomery County Code expressly provides that Impact Tax funds may be used for a “hiker-biker trail and protected bike lanes used primarily for transportation.” A separated bicycle facility is a protected bike lane used primarily for transportation. In connection with the adoption of the recent SSP, this language was added to the Impact Tax law at the Planning Board’s direction to acknowledge that Impact Tax funds need to play a role in the financing of these bicycle lane projects. Please see Page 14 of the Council’s November 1, 2016 worksession packet for more information. Thus, development projects are already paying for bicycle lane improvements through the Impact Tax, and requiring projects to construct bikeway facilities (irrespective of the traffic impact associated with such a project) will result in requiring some development projects to pay for these improvements twice.

Council President Riemer
and Members of the Council
July 10, 2018
Page 4

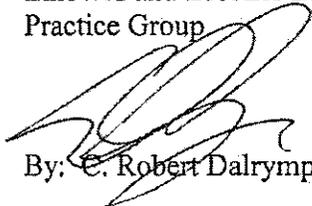
means and thereby failing to have a nexus with development project). If the bicycle improvement project does not go forward within a reasonable period of time (i.e., 6 years), the funds held in escrow should be returned to the applicant because they were collected only on the basis of a specific bikeway recommended along the project's frontage (not to be used for any other purpose deemed appropriate by the County). Absent these clarifications to the Draft Plan to ensure that any collected financial contribution is specifically tied to the bicycle lane improvement along the project's frontage, the exaction (and Bicycle Master Plan) conflict with the takings clause of the Fifth Amendment.

Thank you for consideration of these comments. While we are supportive of the vision of the Bicycle Master Plan, it is vital that there be an equitable standard for the public/private financing of these bikeway facilities and we look forward to continuing to work with all stakeholders in the implementation of the Bicycle Master Plan and specific bicycle facilities identified in other area master plans.

Very truly yours,

LINOWES AND BLOCHER LLP

Linowes and Blocher Land Use/Zoning
Practice Group



By: E. Robert Dalrymple

cc: Dr. Glenn Orlin, Deputy Council Administrator
Mr. Jeff Zyontz, Senior Legislative Analyst
Ms. Gwen Wright, Planning Director
Mr. David Anspacher, Project Manager
Ms. Pam Dunn, Functional Planning and Policy
Ms. Rebecca Torma, MCDOT Development Review Manager

From: Riemer's Office, Councilmember [Councilmember.Riemer@montgomerycountymd.gov]
Sent: Friday, August 24, 2018 2:41:42 PM
To: Council President
Subject: Fw: Bicycle Master Plan

----- Forwarded message -----

From: tdugan@shulmanrogers.com
Date: Fri Aug 24 2018 13:06:25 GMT-0400 (EDT)
Subject: Bicycle Master Plan
To: councilmember.riemer@montgomerycountymd.gov, councilmember.berliner@montgomerycountymd.gov,
councilmember.hucker@montgomerycountymd.gov, councilmember.floreen@montgomerycountymd.gov,
councilmember.elrich@montgomerycountymd.gov, councilmember.navarro@montgomerycountymd.gov,
councilmember.katz@montgomerycountymd.gov, councilmember.rice@montgomerycountymd.gov,
councilmember.leventhal@montgomerycountymd.gov
Cc: glenn.orlin@montgomerycountymd.gov, lao@chevychaseclub.org

Subject: Bicycle Master Plan

Message From Timothy Dugan, attorney for Chevy Chase Club, Inc.

Dear Members of the Montgomery County Council:

We represent Chevy Chase Club, Inc. (the "Club"). The property is bounded on its west side by Wisconsin Avenue, on its north side by Bradley Lane, and on its east side by Connecticut Avenue. Only a few years ago, the Club worked closely with the Maryland State Highway Administration to facilitate SHA's construction of a shared use path, to allow for the joint presence of bikers and pedestrians, along the east side of Wisconsin Avenue, and adjacent to the edge of the Club's property. The project was federally funded in an effort to create more accessibility to mass transit. The entire existing right of way was utilized to accommodate the new shared use path.

We request that the Montgomery County Council include language in the Bicycle Master Plan directing that the Club is not obligated: (1) to dedicate right of way; (2) to install; nor (3) to contribute to the cost of a shared use path along Wisconsin Avenue simply because the Bicycle Master Plan recommends one, [1] if the Club were to initiate a project on its property sometime in the future. Rather, such an imposition should only be considered in light of applicable Constitutional standards.

Please see *Nollan v. California Coastal Comm'n*, 483 U.S. 825, 107 S. Ct. 3141 (1987), and *Dolan v. City of Tigard*, 512 U.S. 374, 114 S. Ct. 2309 (1994). In order for the government to impose a dedication as a condition of approval, using the current example, there must be a nexus and rough proportionality between such a shared use path and a Club project, not merely the fact that the Club may have a project. Similarly, please consider *Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595, 133 S. Ct. 2586 (2013). It is not automatic that the Club would be required to contribute to the cost of such a shared use pathway simply because the Club might have a project. The existence of a nexus and a rough proportionality must be established by the government.

We make our request because during the course of entitlement applications, an applicant might find itself alone and faced with demands for dedication, installation and/or payment conditions of approval that do not meet the Constitutional standard. Indeed, in the context of the discussions about the Bicycle

Master Plan, the term "redevelopment" is used; however, the extent or scope of the term "redevelopment" is not defined.

Our request is that the Bicycle Master Plan include language similar to the following:

Where in the context of a pending development application the establishment of a particular section of the Bicycle Master Plan is under consideration, the Constitutional standard of nexus and rough proportionality shall be satisfied in order for any condition of approval to be imposed related to the implementation of a section of the Bicycle Master Plan.

In conclusion, and to reiterate our concern, we wish to avoid the knee jerk imposition of a County Bicycle Master Plan project for a possible future project where the scope of such a project is far short of what ought to constitute a "redevelopment."

Thank you for your consideration.

Timothy Dugan
Shulman Rogers
Attorney for Chevy Chase Club, Inc.

104443.00049

TIMOTHY DUGAN
ATTORNEY AT LAW

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[1] Please see the Bicycle Master Plan: at pages 68 78; about Breezeway routes; page 71 concerning the improvements along the east side of Wisconsin Avenue from Bradley Blvd to Dorset Ave.

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INCREMENTAL FISCAL IMPACT (page 1)

Notes

- (1) Previous Excluded** - This table only shows new costs proposed by the master plan, and does not include costs already defined in previous master plans. An exception to this is in the case of Breezeways: (a) Existing infrastructure is assumed to require reconstruction; (b) In cases where the only change from previous master plans is assigning it as a Breezeway, cost estimates represent the incremental cost of the additional quality; no costs are assumed for the base facility itself.
- (2) Tier 5 Excluded** - These estimates do *not* include proposed bikeways that are not categorized into Tiers 1-4. Such bikeways are not anticipated to be built within the lifetime of the plan, other than potentially by development or ancillary to other projects.
- (3) ROW** - Right-of-Way is assumed to be dedicated, in accordance with typical master plan estimates. This may not be fully applicable particularly toward Tier 1 and Tier 2 bikeways as well as bike parking stations, which may advance at a sooner timeframe than redevelopment would likely dedicate ROW.
- (4) CCT Bikeways** - Both sets of Tier 1 as well as Tier 2 projects along the Corridor Cities Transitway are estimated as standalone projects; not assumed to be part of the CCT.
- (5) Breezeways** - No such facilities have yet been built and no standards exist; it is likely that design standards for Breezeways will rapidly evolve as the County gains more experience with them. A 100% contingency was applied to all Breezeway segments to account for significantly increased design quality and impacts, and to provide fiscal leeway given the unknowns associated with these facilities.
- (6) Accuracy** - Planning-level analyses aim to be within $\pm 50\%$ of the actual cost.
- (7) Variance** - Costs were estimated via basic master planning-level methods for achieving program costs. This analysis is not intended to be a tool for affirming the costs of projects at an individual level.
- (8) Inflation** - All Dollars are in 2018 Dollars.
- (9) Rounding** - Each value under the Total Cost column is rounded to the nearest \$100,000. Each value under the Public Cost and Private/Ancillary Cost columns are rounded to the nearest \$100,000.
- (10) Mileage** - Mileage is given for helping to understand the scale of each tier. These mileage values may not match total mileage given in the plan for each tier, as these values exclude previously planned segments as well as those identified as highly likely to be built by development or as ancillary to another project.

Plan Info

Plan Year =
Plan Lifetime =

**Previous EXCLUDED
Tier 5 EXCLUDED**

	Project	Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Priority Tier 1	Breezeways	2.7 mi	\$ 34,600,000	100%	0%	\$ 34,600,000	\$ -	Includes Tier 1 bikeways specifically identified as Priority on p152 of the Planning Board Draft. Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.
	Trails	0.0 mi	\$ -	100%	0%	\$ -	\$ -	
	Separated Bikeways	6.5 mi	\$ 34,000,000	100%	0%	\$ 34,000,000	\$ -	
	Striped Bikeways	0.0 mi	\$ -	100%	0%	\$ -	\$ -	
	Bikeable Shoulders	0.0 mi	\$ -	100%	0%	\$ -	\$ -	
	Shared Roads	0.2 mi	\$ 200,000	100%	0%	\$ 200,000	\$ -	
	Dual-Facility	0.0 mi	\$ -	100%	0%	\$ -	\$ -	
	Maintenance	9.4 mi	\$ 800,000	100%	0%	\$ 800,000	\$ -	Total cost of Priority Tier 1 maintenance until 2045, assuming an average implementation year of 2022; includes new equipment needs.
	SUBTOTAL		\$ 69,600,000			\$ 69,600,000	\$ -	An average \$17m/yr from 2018 to 2022. (public cost)

INCREMENTAL FISCAL IMPACT (page 2)

	Project	Mileage or Bike Spaces	Total Cost	Pub		Pvt		Public Cost	Private / Ancillary Cost	Notes
				Pub	Pvt	Pub	Pvt			
Tier 1	Breezeways	14.9 mi	\$ 115,100,000	100%	0%	\$ 115,100,000	\$ -	Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.		
	Trails	0.4 mi	\$ 1,100,000	90%	10%	\$ 1,000,000	\$ 100,000			
	Separated Bikeways	12.8 mi	\$ 81,800,000	90%	10%	\$ 73,700,000	\$ 8,100,000			
	Striped Bikeways	0.1 mi	\$ 100,000	90%	10%	\$ 100,000	\$ -			
	Bikeable Shoulders	0.0 mi	\$ -	90%	10%	\$ -	\$ -			
	Shared Roads	12.6 mi	\$ 14,600,000	90%	10%	\$ 14,500,000	\$ 100,000			
	Dual-Facility	1.2 mi	\$ 2,100,000	90%	10%	\$ 1,900,000	\$ 200,000			
	Maintenance	42.0 mi	\$ 2,700,000	100%	0%	\$ 2,700,000	\$ -	Total cost of Tier 1 maintenance until 2045, assuming an average implementation year of 2024. Includes new equipment needs.		
	Bike Parking Stations	3420 spaces	\$ 13,300,000	100%	0%	\$ 13,300,000	\$ -			
	Short-Term Bike Parking	839 spaces	\$ 300,000	80%	20%	\$ 200,000	\$ 100,000			
	SUBTOTAL		\$ 231,100,000			\$ 222,500,000	\$ 8,600,000	Cumulative \$48m/yr from 2018 to 2024, or Incremental \$111m/yr from 2022 to 2024. (public cost)		
Tier 2	Breezeways	14.9 mi	\$ 113,300,000	100%	0%	\$ 113,300,000	\$ -	Due to more pressing need, it is likely that these would be constructed by standalone CIP projects rather than predominantly by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.		
	Trails	0.1 mi	\$ 300,000	80%	20%	\$ 200,000	\$ 100,000			
	Separated Bikeways	18.9 mi	\$ 243,900,000	80%	20%	\$ 195,100,000	\$ 48,800,000			
	Striped Bikeways	0.0 mi	\$ -	80%	20%	\$ -	\$ -			
	Bikeable Shoulders	0.0 mi	\$ -	80%	20%	\$ -	\$ -			
	Shared Roads	4.3 mi	\$ 3,200,000	80%	20%	\$ 2,600,000	\$ 600,000			
	Dual-Facility	3.0 mi	\$ 50,000,000	80%	20%	\$ 40,000,000	\$ 10,000,000			
	Maintenance	41.2 mi	\$ 4,000,000	100%	0%	\$ 4,000,000	\$ -	Total cost of Tier 2 maintenance until 2045, assuming an average implementation year of 2028. Includes new equipment needs.		
	Bike Parking Stations	1170 spaces	\$ 4,600,000	100%	0%	\$ 4,600,000	\$ -			
	Short-Term Bike Parking	996 spaces	\$ 300,000	60%	40%	\$ 200,000	\$ 100,000			
	SUBTOTAL		\$ 419,600,000			\$ 360,000,000	\$ 59,600,000	Cumulative \$65m/yr from 2018 to 2028, or Incremental \$90m/yr from 2024 to 2028. (public cost)		

INCREMENTAL FISCAL IMPACT (page 3)

	Project	Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes	
Tier 3	Breezeways	44.2 mi	\$ 283,300,000	100%	0%	\$ 283,300,000	\$ -	A share of these projects may be constructed by CIP projects, but a sizeable share are likely to be conditioned upon new development to construct or be part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	0.0 mi	\$ -	70%	30%	\$ -	\$ -		
	Separated Bikeways	20.5 mi	\$ 67,900,000	70%	30%	\$ 47,500,000	\$ 20,400,000		
	Striped Bikeways	0.0 mi	\$ -	70%	30%	\$ -	\$ -		
	Bikeable Shoulders	22.6 mi	\$ 861,500,000	70%	30%	\$ 603,000,000	\$ 258,500,000		
	Shared Roads	19.8 mi	\$ 14,800,000	70%	30%	\$ 10,400,000	\$ 4,400,000		
	Dual-Facility	25.6 mi	\$ 734,000,000	70%	30%	\$ 513,800,000	\$ 220,200,000		
	Maintenance	132.8 mi	\$ 8,900,000	100%	0%	\$ 8,900,000	\$ -		Total cost of Tier 3 maintenance until 2045, assuming an average implementation year of 2038. Includes new equipment needs.
	Bike Parking Stations	410 spaces	\$ 1,600,000	100%	0%	\$ 1,600,000	\$ -		
	Short-Term Bike Parking	122 spaces	\$ 100,000	40%	60%	\$ -	\$ 100,000		
	SUBTOTAL		\$ 1,972,100,000			\$ 1,468,500,000	\$ 503,600,000	Cumulative \$106m/yr from 2018 to 2038, or Incremental \$147m/yr from 2028 to 2038. (public cost)	
Tier 4	Breezeways	22.5 mi	\$ 181,500,000	100%	0%	\$ 181,500,000	\$ -	It is likely that few of these projects will be built by standalone CIPs, but rather they will be built by new development or as a part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	1.8 mi	\$ 5,100,000	60%	40%	\$ 3,100,000	\$ 2,000,000		
	Separated Bikeways	16.7 mi	\$ 95,400,000	60%	40%	\$ 57,200,000	\$ 38,200,000		
	Striped Bikeways	0.0 mi	\$ -	60%	40%	\$ -	\$ -		
	Bikeable Shoulders	24.5 mi	\$ 934,000,000	60%	40%	\$ 560,400,000	\$ 373,600,000		
	Shared Roads	4.6 mi	\$ 3,500,000	60%	40%	\$ 2,100,000	\$ 1,400,000		
	Dual-Facility	6.9 mi	\$ 177,100,000	60%	40%	\$ 106,300,000	\$ 70,800,000		
	Maintenance	77.0 mi	\$ 1,700,000	100%	0%	\$ 1,700,000	\$ -		Total cost of Tier 4 maintenance until 2045, assuming an average implementation year of 2043. Includes new equipment needs.
	Bike Parking Stations	200 spaces	\$ 700,000	100%	0%	\$ 700,000	\$ -		
	Short-Term Bike Parking	68 spaces	\$ -	20%	80%	\$ -	\$ -		
	SUBTOTAL		\$ 1,399,000,000			\$ 913,000,000	\$ 486,000,000	Cumulative \$122m/yr from 2018 to 2043, or Incremental \$183m/yr from 2038 to 2043. (public cost)	

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INCREMENTAL FISCAL IMPACT (page 4)

Project		Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Misc	Bikeways Program - Minor Projects		\$ 20,700,000	100%	0%	\$ 20,700,000	\$ -	Per 2.1 (p101) of the Planning Board Draft, focused on new and upgraded neighborhood connectors. Existing program is \$9.2m over 6 years. This value represents an additional 50% per year until 2045, and does not include the existing baseline \$9.2m/6yrs.
	BikeMontgomery Outreach Program		\$ 3,000,000	100%	0%	\$ 3,000,000	\$ -	Per 3.1 (p103) of Planning Board Draft. Represents total costs from 2019-2045.
	Neighborhood Greenway Program		\$ 800,000	100%	0%	\$ 800,000	\$ -	Per 3.3 (p104) of the Planning Board Draft. Represents total costs from 2019-2045. Focuses on wayfinding and marketing, as design/construction is accounted for in Tiered estimates.
	Bicycle Facility Education		\$ 3,000,000	100%	0%	\$ 3,000,000	\$ -	Per 3.6 (p105) of Planning Board Draft. Represents total costs from 2019-2045.
	Bicycle Count Program		\$ 1,400,000	100%	0%	\$ 1,400,000	\$ -	Per 3.7 (p105) of Planning Board Draft. Represents total costs from 2019-2045.
	Countywide Wayfinding Plan		\$ 3,400,000	100%	0%	\$ 3,400,000	\$ -	Per 3.8 (p103) of Planning Board Draft. Represents total costs from 2019-2045.
	SUBTOTAL		\$ 32,300,000			\$ 32,300,000	\$ -	An average \$1.2m/yr from 2018 to 2045. (public cost)
TOTAL ESTIMATED COST			\$ 4,123,700,000			\$ 3,065,900,000	\$ 1,057,800,000	

FULL FISCAL IMPACT (page 1)

Notes

- (1) **Previous Included** - This table includes new costs proposed by the master plan, *and also includes* costs already defined in previous master plans.
- (2) **Tier 5 Included** - These estimates *do* include proposed bikeways that are not categorized into a tier. Such bikeways are not anticipated to be built within the lifetime of the plan, other than potentially by development or ancillary to other projects.
- (3) **ROW** - Right-of-Way is assumed to be dedicated, in accordance with typical master plan estimates. This may not be fully applicable particularly toward Tier 1 and Tier 2 bikeways as well as bike parking stations, which may advance at a sooner timeframe than redevelopment would likely dedicate ROW.
- (4) **CCT Bikeways** - Both sets of Tier 1 as well as Tier 2 projects along the Corridor Cities Transitway are estimated as standalone projects; not assumed to be part of the CCT.
- (5) **Breezeways** - No such facilities have yet been built and no standards exist; it is likely that design standards for Breezeways will rapidly evolve as the County gains more experience with them. A 100% contingency was applied to all Breezeway segments to account for significantly increased design quality and impacts, and to provide fiscal leeway given the unknowns associated with these facilities.
- (6) **Accuracy** - Planning-level analyses aim to be within $\pm 50\%$ of the actual cost.
- (7) **Variance** - Costs were estimated via basic master planning-level methods for achieving program costs. This analysis is not intended to be a tool for affirming the costs of projects at an individual level.
- (8) **Inflation** - All Dollars are in 2018 Dollars.
- (9) **Rounding** - Each value under the Total Cost column is rounded to the nearest \$100,000. Each value under the Public Cost and Private/Ancillary Cost columns are rounded to the nearest \$100,000.
- (10) **Mileage** - Mileage is given for helping to understand the scale of each tier. These mileage values may not match total mileage given in the plan for each tier, as these values exclude previously planned segments as well as those identified as highly likely to be built by development or as ancillary to another project.

Plan Info

Plan Year = 2018
Plan Lifetime = 2045

Previous INCLUDED
Tier 5 INCLUDED

		Project	Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Priority Tier 1		Breezeways	3 mi	\$ 36,200,000	100%	0%	\$ 36,200,000	\$ -	Includes Tier 1 bikeways specifically identified as Priority on p152 of the Planning Board Draft. Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.
		Trails	0 mi	\$ -	100%	0%	\$ -	\$ -	
		Separated Bikeways	8 mi	\$ 35,400,000	100%	0%	\$ 35,400,000	\$ -	
		Striped Bikeways	0 mi	\$ -	100%	0%	\$ -	\$ -	
		Bikeable Shoulders	0 mi	\$ -	100%	0%	\$ -	\$ -	
		Shared Roads	0 mi	\$ 200,000	100%	0%	\$ 200,000	\$ -	
		Dual-Facility	0 mi	\$ -	100%	0%	\$ -	\$ -	
		Maintenance	11 mi	\$ 300,000	100%	0%	\$ 300,000	\$ -	
		SUBTOTAL		\$ 72,100,000			\$ 72,100,000	\$ -	An average \$18m/yr from 2018 to 2022. (public cost)

FULL FISCAL IMPACT (page 2)

		Project	Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Tier 1	Breezeways	15 mi	\$ 122,300,000	100%	0%	\$ 122,300,000	\$ -	Due to more pressing need, it is most likely that these would be constructed by standalone CIP projects rather than by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	1 mi	\$ 2,000,000	90%	10%	\$ 1,800,000	\$ 200,000		
	Separated Bikeways	16 mi	\$ 122,200,000	90%	10%	\$ 110,000,000	\$ 12,200,000		
	Striped Bikeways	0 mi	\$ 200,000	90%	10%	\$ 200,000	\$ -		
	Bikeable Shoulders	0 mi	\$ -	90%	10%	\$ -	\$ -		
	Shared Roads	13 mi	\$ 35,400,000	90%	10%	\$ 31,900,000	\$ 3,500,000		
	Dual-Facility	1 mi	\$ 3,600,000	90%	10%	\$ 3,200,000	\$ 400,000		
	Maintenance	46 mi	\$ 3,200,000	100%	0%	\$ 3,200,000	\$ -		Total cost of Tier 1 maintenance until 2045, assuming an average implementation year of 2024. Includes new equipment needs.
	Bike Parking Stations	3420 spaces	\$ 13,300,000	100%	0%	\$ 13,300,000	\$ -		
	Short-Term Bike Parking	839 spaces	\$ 300,000	80%	20%	\$ 200,000	\$ 100,000		
SUBTOTAL			\$ 302,500,000			\$ 286,100,000	\$ 16,400,000	Cumulative \$60m/yr from 2018 to 2024, or Incremental \$143m/yr from 2022 to 2024. (public cost)	
Tier 2	Breezeways	15 mi	\$ 141,900,000	100%	0%	\$ 141,900,000	\$ -	Due to more pressing need, it is likely that these would be constructed by standalone CIP projects rather than predominantly by new development. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	1 mi	\$ 2,000,000	80%	20%	\$ 1,600,000	\$ 400,000		
	Separated Bikeways	33 mi	\$ 292,300,000	80%	20%	\$ 233,800,000	\$ 58,500,000		
	Striped Bikeways	0 mi	\$ -	80%	20%	\$ -	\$ -		
	Bikeable Shoulders	0 mi	\$ -	80%	20%	\$ -	\$ -		
	Shared Roads	4 mi	\$ 3,200,000	80%	20%	\$ 2,600,000	\$ 600,000		
	Dual-Facility	3 mi	\$ 53,700,000	80%	20%	\$ 43,000,000	\$ 10,700,000		
	Maintenance	56 mi	\$ 4,900,000	100%	0%	\$ 4,900,000	\$ -		Total cost of Tier 2 maintenance until 2045, assuming an average implementation year of 2028. Includes new equipment needs.
	Bike Parking Stations	1170 spaces	\$ 4,600,000	100%	0%	\$ 4,600,000	\$ -		
	Short-Term Bike Parking	996 spaces	\$ 300,000	60%	40%	\$ 200,000	\$ 100,000		
SUBTOTAL			\$ 502,900,000			\$ 432,600,000	\$ 70,300,000	Cumulative \$79m/yr from 2018 to 2028, or Incremental \$108m/yr from 2024 to 2028. (public cost)	

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FULL FISCAL IMPACT (page 3)

		Project	Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Tier 3	Breezeways	44 mi	\$ 438,000,000	100%	0%	\$ 438,000,000	\$ -	A share of these projects may be constructed by CIP projects, but a sizeable share are likely to be conditioned upon new development to construct or be part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	2 mi	\$ 4,200,000	70%	30%	\$ 2,900,000	\$ 1,300,000		
	Separated Bikeways	31 mi	\$ 99,500,000	70%	30%	\$ 69,600,000	\$ 29,900,000		
	Striped Bikeways	0 mi	\$ -	70%	30%	\$ -	\$ -		
	Bikeable Shoulders	23 mi	\$ 861,500,000	70%	30%	\$ 603,000,000	\$ 258,500,000		
	Shared Roads	20 mi	\$ 14,900,000	70%	30%	\$ 10,400,000	\$ 4,500,000		
	Dual-Facility	26 mi	\$ 793,000,000	70%	30%	\$ 555,100,000	\$ 237,900,000		
	Maintenance	145 mi	\$ 9,700,000	100%	0%	\$ 9,700,000	\$ -		Total cost of Tier 3 maintenance until 2045, assuming an average implementation year of 2038. Includes new equipment needs.
	Bike Parking Stations	410 spaces	\$ 1,600,000	100%	0%	\$ 1,600,000	\$ -		
	Short-Term Bike Parking	122 spaces	\$ -	40%	60%	\$ -	\$ -		
SUBTOTAL			\$ 2,222,400,000			\$ 1,690,300,000	\$ 532,100,000	Cumulative \$124m/yr from 2018 to 2038, or Incremental \$169m/yr from 2028 to 2038. (public cost)	
Tier 4	Breezeways	22 mi	\$ 207,000,000	100%	0%	\$ 207,000,000	\$ -	It is likely that few of these projects will be built by standalone CIPs, but rather they will be built by new development or as a part of other CIP projects. The public-private share given is intended to be conservative. Existing bike facilities along Breezeways are assumed to require reconstruction / upgrading.	
	Trails	5 mi	\$ 14,000,000	60%	40%	\$ 8,400,000	\$ 5,600,000		
	Separated Bikeways	27 mi	\$ 123,200,000	60%	40%	\$ 73,900,000	\$ 49,300,000		
	Striped Bikeways	1 mi	\$ 500,000	60%	40%	\$ 300,000	\$ 200,000		
	Bikeable Shoulders	25 mi	\$ 934,000,000	60%	40%	\$ 560,400,000	\$ 373,600,000		
	Shared Roads	5 mi	\$ 3,500,000	60%	40%	\$ 2,100,000	\$ 1,400,000		
	Dual-Facility	7 mi	\$ 190,700,000	60%	40%	\$ 114,400,000	\$ 76,300,000		
	Maintenance	91 mi	\$ 1,800,000	100%	0%	\$ 1,800,000	\$ -		Total cost of Tier 4 maintenance until 2045, assuming an average implementation year of 2043. Includes new equipment needs.
	Bike Parking Stations	200 spaces	\$ 700,000	100%	0%	\$ 700,000	\$ -		
	Short-Term Bike Parking	68 spaces	\$ -	20%	80%	\$ -	\$ -		
SUBTOTAL			\$ 1,475,400,000			\$ 969,000,000	\$ 506,400,000	Cumulative \$138m/yr from 2018 to 2043, or Incremental \$194m/yr from 2038 to 2043. (public cost)	

FULL FISCAL IMPACT (page 4)

Project		Mileage or Bike Spaces	Total Cost	Pub	Pvt	Public Cost	Private / Ancillary Cost	Notes
Tier 5	Trails	36 mi	\$ 53,700,000	0%	100%	\$ -	\$ 53,700,000	<p>It is not anticipated that any Tier 5 projects will be constructed as their own standalone CIP projects within the lifetime of the plan, but rather that they will be built beyond the lifetime of the plan, be built by new development, or be built as part of other CIP projects.</p> <p>Tier 5 estimates are not based on a per-segment estimate, but are rather based on the remainder of mileage identified in the plan that is not already accounted for in the Tiered sections. The values in this Tier 5 section are only intended to give a sense of scale of remaining infrastructure.</p> <p>The mileage-based estimation used in this section may not accurately encompass unique traits and exceptions along segments, such as mileage along Dual-Facilities or Breezeways. We reiterate that this value is only for a sense of scale.</p>
	Separated Bikeways	339 mi	\$ 693,800,000	0%	100%	\$ -	\$ 693,800,000	
	Striped Bikeways	4 mi	\$ 1,700,000	0%	100%	\$ -	\$ 1,700,000	
	Bikeable Shoulders	56 mi	\$ 1,131,600,000	0%	100%	\$ -	\$ 1,131,600,000	
	Shared Roads	2 mi	\$ 13,800,000	0%	100%	\$ -	\$ 13,800,000	
	Maintenance	439 mi	\$ -	100%	0%	\$ -	\$ -	
	SUBTOTAL		\$ 1,894,600,000			\$ -	\$ 1,894,600,000	
Misc	Bikeways Program - Minor Projects		\$ 20,700,000	100%	0%	\$ 20,700,000	\$ -	Per 2.1 (p101) of the Planning Board Draft, focused on new and upgraded neighborhood connectors. Existing program is \$9.2m over 6 years. This value represents an additional 50% per year until 2045, and does not include the existing baseline \$9.2m/6yrs.
	BikeMontgomery Outreach Program		\$ 3,000,000	100%	0%	\$ 3,000,000	\$ -	Per 3.1 (p103) of Planning Board Draft. Represents total costs from 2019-2045.
	Neighborhood Greenway Program		\$ 800,000	100%	0%	\$ 800,000	\$ -	Per 3.3 (p104) of the Planning Board Draft. Represents total costs from 2019-2045. Focuses on wayfinding and marketing, as design/construction is accounted for in Tiered estimates.
	Bicycle Facility Education		\$ 3,000,000	100%	0%	\$ 3,000,000	\$ -	Per 3.6 (p105) of Planning Board Draft. Represents total costs from 2019-2045.
	Bicycle Count Program		\$ 1,400,000	100%	0%	\$ 1,400,000	\$ -	Per 3.7 (p105) of Planning Board Draft. Represents total costs from 2019-2045.
	Countywide Wayfinding Plan		\$ 3,400,000	100%	0%	\$ 3,400,000	\$ -	Per 3.8 (p103) of Planning Board Draft. Represents total costs from 2019-2045.
	SUBTOTAL		\$ 32,300,000			\$ 32,300,000	\$ -	An average \$1.2m/yr from 2018 to 2045. (public cost)
TOTAL ESTIMATED COST			\$ 6,502,200,000			\$ 3,482,400,000	\$ 3,019,800,000	



MONTGOMERY COUNTY PLANNING BOARD
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

To: Transportation, Infrastructure, Energy and Environment Committee

From: Casey Anderson, Chair, Montgomery County Planning Board

Date: September 13, 2018

Re: Response to the Fiscal Impact Statement for the Bicycle Master Plan Planning Board Draft

The Bicycle Master Plan is a visionary proposal to create a world-class bicycling community in Montgomery County. Using sophisticated planning analyses that are redefining bicycle planning nationwide, it has already been recognized with multiple awards, including the highest award in transportation planning – the 2017 National Planning Achievement Award for Transportation Planning – Gold from the American Planning Association. When implemented, it will enable everyone in Montgomery County to travel by bicycle on a comfortable, safe and connected bicycle network. This vision is supported by four goals: 1) increasing bicycle rates, 2) creating a highly-connected, convenient and low-stress bicycling network, 3) providing equal access to low-stress bicycling for all members of the community, and 4) eliminating bicycle-related fatalities and severe injuries, per the County’s Vision Zero policy.

The fiscal impact statement for the Bicycle Master Plan estimates the cost of implementing the Planning Board Draft at \$6.5 billion. While the methodology is well documented and adheres to the Office of Management and Budget’s standard approach to estimating the cost of master plans, it is important to note that these cost estimates overlap other county objectives and should therefore be viewed in that light. In reviewing the fiscal impact statement, please keep in mind the following:

- The plan prioritizes implementation of Tiers 1 – 4, which account for about 40 percent of the bikeway network (333 miles) and is focused on those projects that most support the goals of the plan (increasing bicycling rates, improving connectivity, achieving equity and eliminating fatalities and serious injuries). Implementing the 40 percent priority bikeways is estimated to cost approximately \$4.6 billion. The remaining 60 percent of the bikeway network (488 miles), while not prioritized, remains valuable to the success of achieving a world-class bicycling community. And, should these facilities be constructed by as part of an yet unknown development proposal or a state project, the Bicycle Master Plan provides guidance that identifies the appropriate bikeway. **The cost of the Bicycle Master Plan should be limited to those bikeways that are prioritized for implementation within the 25-year life of the plan.**
- Many of the bikeways in the Bicycle Master Plan serve multiple purposes. For instance, there are 23 bikeable shoulder projects that are also highway safety projects that need to be constructed regardless of whether they are included in the Bicycle Master Plan. They are reflected in the Bicycle Master Plan so that the projects will include bicycle-friendly design standards. Of the prioritized bikeways (those in Tier 1 – 4), these projects are estimated to cost about \$1.8 billion. **Only a portion of the cost of bikeable shoulders should be attributed to the Bicycle Master Plan.**

- The private sector will implement many of the bikeway projects in this master plan through development approvals. This is estimated to reduce the cost of the Bicycle Master Plan by an additional \$0.5 billion. **Only a portion of the cost of Bicycle Master Plan will be the responsibility of state and local government to implement.**
- Many of the bikeways in the Bicycle Master Plan are already recommended in approved master plans. Excluding bikeways that are existing county policy reduces the cost of the plan by an additional \$0.4 billion. **The cost of the Bicycle Master Plan should reflect only new bikeway recommendations.**
- Many of the 450 miles of sidepaths recommended in the Bicycle Master Plan are also pedestrian projects. **Only a portion of the cost of sidepaths should be assigned to the Bicycle Master Plan.**
- Transportation systems operate most efficiently when there are multiple ways to travel between destinations, and therefore the Bicycle Master Plan contemplates a network of low-stress bikeways. **In practice, it is likely that many of the bikeways will not be implemented.**

Therefore, if these considerations are applied to the cost developed in the fiscal impact statement, it is likely the actual cost of the Bicycle Master Plan to state and local government would be substantially less than \$1.9 billion and would be spread over the life of the plan – more than 20 years.

Goal 1 of the Bicycle Master Plan sets a target of shifting 8 percent of daily trips in the County to bicycling. While this is an ambitious target, it was selected with the understanding that most daily trips in the county are less than 3.5 miles (roughly a 25-minute bike ride). A \$1.9 billion investment in bicycling infrastructure would be highly cost-effective if the plan is able to shift 8 percent of trips to bicycling, as it will result in the need for fewer road improvements and will have a large impact on public health. Furthermore, the Bicycle Master Plan will help to eliminate bicycle and pedestrian fatalities and severe injuries per the County's Vision Zero policy. In 2017, there were 73 severe injuries and 11 fatalities among bicyclists and pedestrians.



SUBURBAN MARYLAND TRANSPORTATION ALLIANCE

July 10, 2018

Mr. Hans Riemer, Chair
Montgomery County Council
100 Maryland Ave.
Rockville, MD 20850

Dear Chairman Riemer and Members of the County Council,

I am writing on behalf of the Suburban Maryland Transportation Alliance (SMTA) whose mission is to advocate for transportation improvements that reduce congestion and increase mobility. SMTA supports cycling as an important mode of travel for recreational and commuting trips and strongly supports adoption of a Bicycle Master Plan to guide future investments.

The draft plan is an impressive and extremely thorough document and will be a useful tool for decades to come. SMTA's comments are focused on the overall parameters of the plan rather than on specific routes or facility types. Our comments on the public hearing draft of the Bicycle Master Plan (BMP) focus on the following major topics:

- Safety should be the number one goal
- Prioritization methodology should be revisited
- Implementation issues
- Cost
- Plan Assumptions
- Effectiveness

Safety First

Improving safety should be Goal #1, followed by increasing bicycling rates in the County, then the other goals listed in the plan in their current order, renumbered as goals #3 and #4.

- Goal 1: Improve the safety of bicycling
- Goal 2: Increase bicycling rates in Montgomery County

Increasing future bicycle-commuting rates is a lofty goal but increasing safety and comfort for current riders should be the highest priority. While the plan notes the use of bicycles for work trips has increased over the past 10 years, that increase has been from 0.4% of work trips in 2006 to 0.5% of work trips in 2016. This is still half of one percent of trips.

The plan appears to give short shrift to recreational routes and safety of current riders, which in our view are of the highest importance. As noted on page 172, "high demand recreational bicycling routes"

are relegated to Tier 3 priority which is recommended for a 20-year completion. Dangerous locations such as the area around Sam Eig Highway and the crossing of Rt. 355 near Grosvenor/Tuckerman, should be at the top of the priority list.

Further, the very purpose of the plan (page 13) states: "The plan focuses on increasing bicycling among what surveys consistently reveal as a majority of the public who would like to bicycle more..." It does not mention making it safe for those who already bike, and whom will make up the majority of bikers in the future, which is contrary to the County's Vision Zero Action Plan. Current riders who are mostly recreational need to be protected in this plan as that is presumably where the largest increases in ridership can reasonably be expected.

Prioritization

Safety should be the key criterion for prioritizing projects. Because there is no accident data provided, and none of the four tiers specify safety as a criterion, it is difficult to assess whether the most dangerous locations are at the top of the list. For example, page 152 specifies four criteria for 56 miles of Tier 1 Projects and once again, safety factors are not mentioned. Instead, it focuses on "the highest demand" rather than safety.

The priority criteria should be revisited. Access to mass transit with a focus on Metrorail stations should be a high prioritization criteria to reduce single occupancy vehicle work commutes. Ease of implementation or low cost should not put projects above those that improve access to transit or improve safety.

The plan states that Tier 1 projects should be substantially completed within five years of plan approval, yet there are still Programmed Bikeways are only partially funded (page 151). There are 160 projects listed for Tier 1, totaling 56 miles. This list should be prioritized and the timeframes should be revised to reflect reality.

Implementation

Several implementation questions should be answered before adopting the plan. These include:

- Is the Design Toolkit a guide or a requirement?
- How will the Subdivision Staging Policy relate to this plan?
- Will development and redevelopment projects get credits on their impact taxes for building planned bikeways?
- Interim separated bike lanes should only be used for urgent safety locations; other projects should be designed and built as permanent solutions as time and budget permit. Given the cost of this plan, when would "funding become available" for an upgrade for an existing facility?
- Regarding developer fees in lieu of constructing bike facilities: the methodology on page 139 is wasteful to the County and the development community. If such a fee is desired, the county should adopt a standard fee schedule rather than having developers design and cost out a "fake" project so they can be assessed a pro rata share.
- On Page 111 recommendation 2.1 to lower posted speed limits across the board should be removed and much more thoroughly evaluated. Additional input should be solicited before

pursuing this as a blanket policy, as this may have significant unintended consequences including adverse safety and congestion impacts.

- On Page 145 and elsewhere, this plan makes reference to “eliminating travel lanes” as one way to accommodate new bike lanes. While we strongly support adding new bike lanes wherever practical, in a region that is routinely rated as among the most congested in the nation and has a very poor history of delivering the number of travel lanes called for in our master plans, it is ludicrous to contemplate removing existing travel lanes. All such references should be struck from this plan (and any others).

Elimination of current travel lanes is, in general, both impractical and politically problematic, as well as contrary to the comments below regarding overall prioritization of this plan relative to other master plans for transit and road networks, which serve many times more people each day. While there may be one or two streets somewhere in this county with excess capacity, we have yet to find them. The willingness to inconvenience over 80% of commuters for improvements that only benefit 0.5% of commuters needs to be reconsidered to make this plan more feasible. As it stands, this statement makes no sense whatsoever as sound transportation policy.

- Similarly, references to eliminating on-street parking need to be carefully analyzed to make sure we are not driving customers away from restaurants and other small businesses that rely on convenient access by all modes of travel. Language should be added to this plan to make clear that small business impacts will be considered in making parking decisions.

Costs

The plan should include cost estimates or rules-of-thumb for “per foot or per mile” costs for various types of facilities. The County Council may want to reconsider the emphasis on 456 miles of shared use paths which average \$720,000 (nationwide), in order to adopt a more implementable plan. In addition, small area infrastructure plans (page 121) seem like an unnecessary layer that adds cost and time to constructing a network. The purpose of the plan is to direct and prioritize land use and infrastructure dollars. If another plan is needed to interpret this one, it is not an effective plan.

Assumptions

While important, given Montgomery County’s challenges, we need to properly assess the priority we place on the stated goal to “become a world class bicycling community.” The County has fiscal, social service, school and other transportation challenges to consider. The County must already deal with 151 planned transportation projects that have never been built. Adopting this plan, as is, not only competes for limited transportation dollars with this backlog of other needed transit and road projects, it creates unrealistic expectations for the cycling community because the current tax base is not adequately supporting other needs today.

Given our current fiscal condition, near-zero net new job growth, and a declining commercial tax base, is the basic assumption of this draft plan good public policy at this time?

A plan whose primary purpose is to attract the "50 percent of the population" who would "like to bike more" (but is not primarily focused on what most of these potential cyclists are interested in, which is recreation) may not be serving the needs of cycling stakeholders as well as it should and may not be grounded in fiscal or traffic reality. There are many other reasons that 50% of the population who want to bike more, don't (time, weather, distance, etc.). In this fiscal environment, is adding 639 miles of separated bike lanes for \$110 million a positive cost-benefit ratio to serve people who may cycle more? We are not sure that this plan, as it is currently written, provides County taxpayers and commuters using transit and roads, the best use of their tax dollars.

Effectiveness

This draft plan is an excellent resource to drive this discussion further, and offers a rich compendium of the existing and proposed bicycle network. However, even a world class plan won't be implemented if it isn't readable and focused on the right priorities. If this plan is to be implemented, a separate third document that pulls out the "plan elements" should be adopted. One that cycling stakeholders, developers and transportation professionals will use.

In conclusion, SMTA appreciates the opportunity to comment on this plan and offer our assistance to work on any plan revisions.

Sincerely,

Jennifer Russel, Chair



Suburban Maryland Transportation Alliance (SMTA)

Cc:

Members of the County Council

SMTA Board of Directors

SMTA Advisory Board

Members of the County Council,

My name is David Helms. I am co-representing Kim Lamphier, Bike Maryland, and Potomac Pedalers Touring Club, a local bicycling club; together, we have 21,000 members organizing 1,000 rides per year.

My Personal Story: 10 years ago, I started bicycling again after years of a sedentary lifestyle. At first, I could bike only 5 miles, but slowly my endurance and physical ability improved. Last year, I cycled over 8,000 miles, and since 2008, I have shed 130 pounds. Bicycling has changed my life, and I hope that others may have the same opportunity, through the implementation of the Bicycle Master Plan, to improve their lives through walking and bicycling as a primary means of transportation and as a way of life.

I support the plan because:

- adoption of the Bicycle Master Plan complements the Countywide Park Trails Plan, and Vision Zero Plan, as well as the (future) Pedestrian Master Plan, will enhancing community health consequences, improve air and water quality, and reduce (the growth of) congestion on our roads.

A Vision for Our Future:

Implementing this plan will provide safe, equitable, healthy, active transportation options resulting in families providing an opportunity reduce dependence on cars (allowing ownership of 1 or no cars) which will improve a family's ability to live in the county with a good quality of living on a modest income.

Caveats - Recommendation Changes to the Plan: (See appendix for detailed discussion)

- **Goal 2, objectives 2.2, 2.3, and 2.4:** Extend metric from 2 miles to 5 miles radius from service centers (excluding elementary and middle school metric)
- **Goal 3, objective 3.1:** Update / replace the current Bicycle Master Plan Goal 3 equity objective using Equity targets and measures of progress relevant to active and multi-model transportation as provided by the Office of Legislative Oversight report recommendations upon the report's acceptance in FY19 by the Council. Further, the Office of Legislative Oversight baseline report should include **transportation** equities in addition to **education, employment, housing, health, employment** and other measures of opportunity.

Very Respectfully,

David Helms
 224 Whitmoor Terrace
 Silver Spring, Maryland 20901
 PPTC Web Page:
<https://www.potomacpedalers.org/>

Kim Lamphier
 1414 Bush Street
 Baltimore, Maryland 21230
 Bike Maryland Web Page:
<https://www.bikemaryland.org/>

Appendix - Recommended Bicycle Master Plan Changes Detailed Discussion

GOAL 2 CREATE A HIGHLY CONNECTED, CONVENIENT AND LOW-STRESS BICYCLING NETWORK

"You are what you measure"

Metric: Objectives 2.2, 2.3, and 2.4 are limited to 2 mile radius of county services, e.g. transportation (2.2), schools (2.3), and libraries, recreation and parks (2.4).

Issue: By limiting the metric to 2 miles, large population centers may be excluded from planning and ultimately disadvantaged in terms of transportation equity.

Recommendation: Extend metric from 2 miles to 5 miles radius from service centers (excluding elementary and middle school metric) for Goal 2, objectives 2.2, 2.3, and 2.4.

Rationale: Current U.S. Census American Consumer Surveys indicate bicycle trips are 20-25 minutes in duration. At 15 mph, a bicyclist can travel 5 miles in 20 minutes. Montgomery County geography includes significant hills and valleys to overcome in a 5 mile bicycle ride. These physical barriers and a lack of bicycle infrastructure networks limit bicycle commuting on #MoCo to 0.3% (by comparison, D.C. is 4.6%).

The opportunity for commuters to leverage electric motor assisted bicycles (e-bikes) and scooters will expand dramatically over the next 25 years. Market capitalization for companies in the e-bikes and scooters sector is over \$3 billion with acquisitions by Uber¹, Lyft², and Alphabet¹ and other venture capital sources³. These companies are keen to use e-assisted bikes and scooters to feed into their Mobility as a Service ecosystems.

Montgomery County Ride On monthly ridership peaked in 2008 at 2.7 million trips, since then, ridership has decreased by about 100,000 per year, currently near 1.7 million trips per month. #MoCo can encourage residents to use its bicycle infrastructure to feed into and grow the potential ridership for Ride On core routes anticipating e-bike adoption and commensurate longer travel distances to transportation centers from residences. Additional benefit to families will be greater quality of life through lowered monthly expenses by reducing number of cars per family from 2-3 cars to 0-1.

References:

1. Uber teams up with Lime scooters for latest non-car offering, CNN Tech, July 9, 2018
<https://money.cnn.com/2018/07/09/technology/uber-lime-scooter/index.html>

The new deal, lead by Alphabet's venture capital company GV, values Lime at \$1.1 billion.

2. Lyft Just Became America's Biggest Bikeshare Company, CityLab, July 2, 2018
<https://www.citylab.com/transportation/2018/07/lyft-buys-motivate-bikesharing-systems/564347/>

GOAL 3 PROVIDE EQUAL ACCESS TO LOW-STRESS BICYCLING FOR ALL MEMBERS OF THE COMMUNITY

Metric: By 2043, the percentage of bicycle trips that can be made on a low-stress bicycling network in US census tracts where the median income is below 60 percent of the county average median income will be the same as or greater than the county overall.

FACT: The #MoCo Council unanimously adopted a resolution on April 24, 2018, to develop an Equity Policy Framework in county government.

http://montgomerycountymd.granicus.com/MetaViewer.php?view_id=169&event_id=7709&meta_id=153195

The Resolution states:

- While we embrace our diversity, disparities exist by ethnicity, income, disability, gender, sexual identity, and other factors that can impede our future prosperity. These disparities in **education, employment, health, and housing** result from institutional and individual biases that undermine opportunities for vital members of our community.
- A equitable Montgomery County will address “disparities based on race, ethnicity, national origin, English language proficiency, gender, gender identity, sexual orientation, religion, age, differing abilities, and income.”
- The county seeks to “operationalize equity, and integrate it into the decision-making process. These include the use of an “equity lens” to determine who benefits from public policies, regulations and practices and the development of equity tools and plans to inform local decision-making.”

Issue: The Bicycle Master Plan Goal 3 objective of assessing equity based on a single (economic) metric is insufficient per the county equity resolution “equity lens” scope which aims to address equity across a much broader range of diversity metrics.

Recommendation: Update / replace the current Bicycle Master Plan Goal 3 equity objective using Equity targets and measures of progress relevant to active and multi-modal transportation as provided by the Office of Legislative Oversight report recommendations upon the report’s acceptance on FY19 by the Council. Further, the Office of Legislative Oversight baseline report should include **transportation** equities in addition to **education, employment, housing, health, employment**, and other measures of opportunity.

Rationale: #MoCo operating budget in FY18 is \$5.4 billion. Of the \$5.4 billion, the transportation budget \$221 million or about 4% of the budget. Resourcing and implementing critical elements of the Bicycle Master Plan and Vision Zero will require about \$20 million per year. The substantial cost of implementation will require support from a broad base of citizens. Using sufficient metrics to transparently guide and prioritize implementation of the plan will help gain community support for ALL of our citizens.

Lyft announced the acquisition of Motivate, a New York-based company that currently operates bikeshare systems in some of the largest, densest U.S. cities. That includes the four largest station-based bikeshare systems, with New York's Citi Bike, Chicago's Divvy, D.C.'s Capital Bikeshare, and Boston's Bluebikes. Those four systems alone generated 74 percent of the 35 million bikesharing trips—docked or dockless—taken in the United States in 2017, according to NACTO's annual bikesharing report. Motivate is also getting a new name: Lyft Bikes.

3. E-scooters take to the streets, CNN Money, July 9, 2018

<https://money.cnn.com/2018/07/09/technology/bird-valuation/index.html>

Scooter rental startup Bird Rides is now valued at \$2 billion, CEO and founder Travis Vanderzanden told CNNMoney. "People have been trying to find ways to get Americans out of cars for a long time, and we think Bird can have a big impact."

4. Montgomery County Ride On Ridership By Month from Stats on Demand

<https://reports.data.montgomerycountymd.gov/dataset/Ride-On-Ridership-By-Month/2vkt-re4h>

5. A North American Survey of Electric Bicycle Owners, NITC-RR-1041, March 2018

https://ppms.trec.pdx.edu/media/project_files/NITC_RR_1041_North_American_Survey_Electric_Bicycle_Owners.pdf

"e-bikes are making it possible for more people to ride a bicycle, many of whom are incapable of riding a standard bicycle or don't feel safe doing so. Additionally, the electric assist of the e-bike helps to generate more trips, longer trips and different types of bicycle trips. These findings are represented by the high value attributed to being able to avoid or tackle hills easier, ride farther and faster with less effort, and being able to carry more cargo or children when needed."

6. Rise of the ebike: how going electric could revolutionise your ride, The Guardian, September 2017

<https://www.theguardian.com/lifeandstyle/2017/sep/16/rise-of-the-ebike-how-going-electric-could-revolutionise-your-ride>

"A recent survey of 2,000 commuters commissioned by Evans Cycles estimated that by switching from car, bus, tube or train to ebikes, commuters could save an average of £7,791 (\$10,300) over five years."

References:

1. Evaluating Transportation Equity Guidance For Incorporating Distributional Impacts in Transportation Planning, April 11, 2018, Todd Litman, Victoria Transport Policy Institute (VTPI)
<http://www.vtpi.org/equity.pdf>