

Mayor Tracey Furman

Council Member Darin Bartram
Council Member Bridget Hill-Zayat



Council Member Conor Crimmins
Council Member Duane Rollins

Released: November 1, 2018

Monday, November 5, 2018
Mayor and Town Council Meeting – 7:00 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

APPROVAL OF MINUTES

Regular Town Meeting of October 8, 2018

FROM THE MAYOR AND TOWN COUNCIL

1. **Bicycle Master Plan (Montgomery County)** – A discussion of Montgomery County's Bicycle Master Plan with respect to future development along Knowles and Summit Avenue (*Pamela Dunn and Eli Glazier, Montgomery Planning*).
2. **Variance Hearing (10414 Detrick Avenue)** – A request for multiple sign variances in accordance with Section 6-104, "Signs on Private Property – CRT, CRN, and Industrial Zones" of the Town Code (*Tom Brault, Woodside Ventures*).
3. **10500 St. Paul Street** – A discussion to clarify the parking and responsibility of the 10500 block of St. Paul Street between the Town of Kensington, Ayoub Carpet and Rugs, and Solera Senior Living.

FROM THE TOWN MANAGER AND STAFF

1. **Annexation (Referendum)** – Discuss the Petition for Referendum from Residents with regards to Annexation Resolution No. AR-01-2018 and Annexation Resolution No. AR-02-2018.
2. **Dockless Bikes** – Discuss the possibility of 'opting-in' to Montgomery County's dockless bikes, e-bikes, and e-scooters Pilot Program.
 - a. **Bike Share Program (Solera Senior Living)** – Discuss a request from Solera Senior Living to adopt a Resolution stating that they should not be required to contribute towards a Bike Share Program considering their intended use.
3. **Small Cell Towers** – Discuss working with other Montgomery County municipalities on developing one set of regulations for small cell towers.
4. **Commercial Signage** – Discuss possible Amendments to Chapter VI, "Signs and Commercial Regulations" of the Town Code with respect to restricting certain temporary and limited duration signs.

PUBLIC APPEARANCES

(The public is invited to speak on any subject that is not a topic on tonight's agenda)

ORDINANCES, RESOLUTIONS, AND REGULATIONS

(Ordinances, resolutions, and regulations to be introduced or adopted following appropriate procedures required by the Town Code; or resolutions that may require discussion by the Mayor and Council prior to approval)

1. **Resolution No. R-16-2018** – A Resolution of the Mayor and Town Council proclaiming November to be Municipal Government Works Month in Kensington, Maryland.

ADJOURN

(The Mayor and Council may move to close the meeting and may move to reopen the meeting)

THE NEXT SCHEDULED MEETING(S) OF THE MAYOR AND TOWN COUNCIL WILL BE HELD:

Monday, December 10, 2018



MONTGOMERY COUNTY PLANNING Department

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

To: Kensington Town Council

From: David Anspacher, Master Planner / Supervisor

Date: November 1, 2018

Re: Response to Town of Kensington Comments on Bicycle Master Plan

Background

The Montgomery County Planning Department began work on the Bicycle Master Plan in fall 2015 with the goal of creating a low-stress network of bikeways throughout Montgomery County. The intent of this network is to ensure bicyclists of all ages and abilities are comfortable and safe riding to transit stations, employment centers, shops, public facilities and other destinations in the county.

Draft recommendations were shared with the community and the independent municipalities in the form of preliminary recommendations (June 2017), the Public Hearing Draft (December 2017) and the Planning Board Draft (May 2018). The Montgomery County Council conducted a public hearing on the Planning Board Draft of the Bicycle Master Plan on July 10, 2018. The County Council's Transportation, Infrastructure, Energy and Environment Committee held worksessions on September 17, 2018 and October 1, 2018. The full Council held a worksession on October 16, 2018 and is tentatively scheduled to approve the plan on November 27, 2018.

On October 15, 2018, the County Council received testimony concerning two bikeways in the Town of Kensington, one along Knowles Avenue and the other along Summit Avenue. This memo summarizes the Montgomery County Planning Department's response to the issues raised by the Town.

Knowles Avenue between Summit Avenue and Armory Avenue

Bicycle Master Plan Recommendation

The Bicycle Master Plan recommends a sidepath on the south side of Knowles Avenue between Summit Avenue and Connecticut Avenue and two-way separated bike lanes on the south side of Knowles Avenue between Connecticut Avenue and Armory Avenue¹. However, in reviewing the recent testimony received from the Town of Kensington, staff discovered a technical error in the recommendations, specifically related to the recommendation for a sidepath on Knowles Avenue between Summit Avenue and Connecticut Avenue.

In this location, the desired bikeway facility type is two-way separated bike lanes. In areas with higher levels of pedestrian activity, such as what is expected along Knowles Avenue with redevelopment, the Bicycle Master Plan recommends the separation of walking and bicycling. This recommendation is consistent with the approach taken in other urban and urbanizing areas of the county. Therefore, the Bicycle Master Plan recommendation for Knowles Avenue should be amended to provide two-way

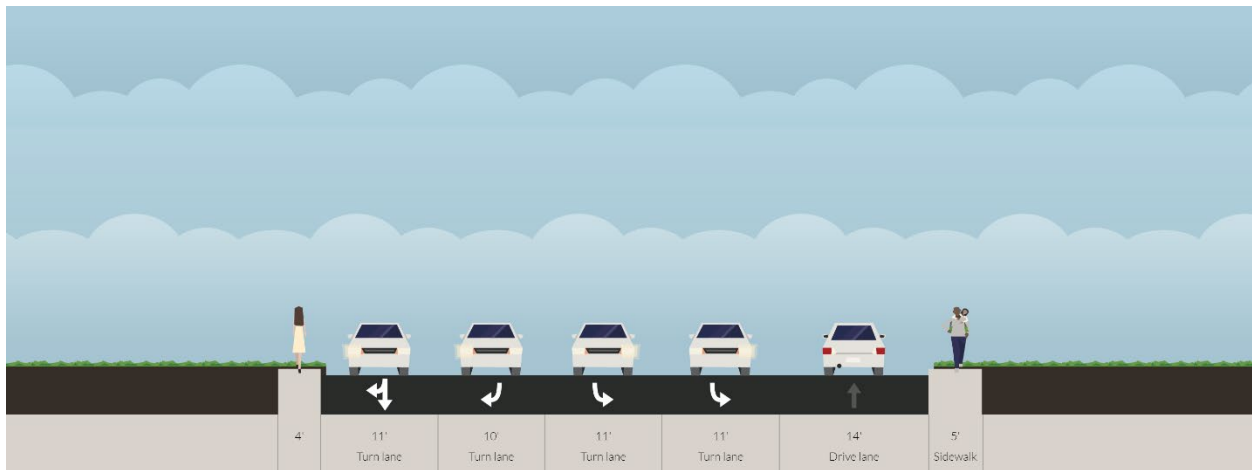
¹ Note that Knowles Avenue (MD 547) is officially considered a north-south road by MDOT / SHA because it is an odd-numbered road and so the Bicycle Master Plan identifies the bikeway as being on the west side of the road.

separated bike lanes between Summit Avenue and Connecticut Avenue and between Connecticut Avenue and Armory Avenue, consistent with the recommendation shown on the Proposed Bicycle Network online tool (mcatlas.org/bikeplan).

The Bicycle Master Plan prioritizes bikeway implementation by assigning a tier to about half of the bikeway recommendations in the plan. Tier 1 bikeways have the highest priority and Tier 4 bikeways have the lowest priority for implementation. Over 50 percent of the recommended bikeways – including Knowles Avenue between Summit Avenue and Armory Avenue – are not prioritized for implementation within the life of the Bicycle Master Plan.

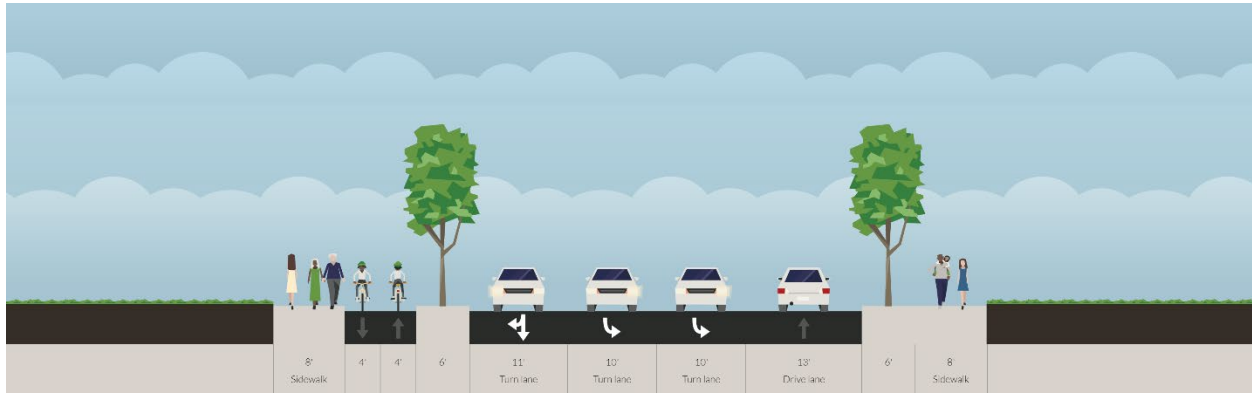
While the Knowles Avenue bikeway is not prioritized for implementation in the life of the Bicycle Master Plan, development applications must be reviewed for conformance with the applicable master plans. For this reason, Planning Department staff recently proposed implementing two-way separated bike lanes on the south side of Knowles Avenue in the long-term as part of a development application for the Kensington Manor Senior Housing project.

Through this application, Planning Department staff proposed implementing two-way separated bike lanes on the south side of Knowles Avenue in the long term by narrowing the curb-to-curb width of the road. Currently, there are four lanes and the curb-to-curb width is 48 feet wide. The westbound lane is 14 feet wide, and the eastbound lanes are 11 – 12 feet wide, as shown below.



Existing View of Knowles Avenue Looking West

Staff proposed narrowing the road to 44 feet. One approach to allocating this space would be to provide a 13-foot-wide westbound travel lane and eastbound travel lanes that are 10 – 11 feet wide, as shown below. Also shown are how street trees, wide sidewalks and two-way separated bike lanes could be implemented on Knowles Avenue.



Proposed View of Knowles Avenue Looking West

In front of the Kensington Manor Senior Housing project, the area between the building and the curb would be slightly wider to accommodate a drop-off area for vehicles.

Comment from the Town of Kensington

The Town of Kensington is concerned that narrowing the westbound travel lane will exacerbate the challenges that already exist for large vehicles making a southbound right turn from Connecticut Avenue to Knowles Avenue.

Response from Planning Department Staff

The ability of trucks to make the southbound right turn would be evaluated as part of future planning and design for actual bikeway construction. Strategies to address the right turn challenges for trucks could be evaluated and addressed at the time of design. This might include maintaining a wider westbound lane for the first 100 feet or a mountable curb that large vehicles are able to travel over, but that would reduce the speed of right turns for smaller vehicles.

Planning Department staff therefore continue to recommend two-way separated bike lanes on the south side of Knowles Avenue in the Bicycle Master Plan. When this bikeway is under design, engineers will need to evaluate options for facilitating southbound right turns. As this bikeway is not currently prioritized for implementation within the life of the plan, this may not be necessary for many years.

With concurrence from the Town of Kensington, Planning Department staff will request that the Montgomery County Council change the bikeway recommendation on Knowles Avenue from Summit Avenue to Connecticut Avenue to two-way separated bike lanes instead of a sidepath.

Summit Avenue from Howard Avenue to Knowles Avenue

Bicycle Master Plan Recommendation

The Bicycle Master Plan recommends two-way separated bike lanes on the west side of Summit Avenue between Howard Avenue and Knowles Avenue.

Comment from the Town of Kensington

The Town of Kensington believes that redevelopment along Summit Avenue is contingent upon on-street parking on both side of Summit Avenue and is concerned that one row of on-street parking may need to be eliminated if two-way separated bike lanes are to be added to the road.

Response from Planning Department Staff

One option for providing on-street parking on both sides of Summit Avenue while preserving the two-way separated bike lanes recommended in the Bicycle Master Plan is to construct curb extensions in the parking lane to accommodate street trees at intersections and potentially other locations, as shown below. Shifting the street trees into the row of on-street parking maintains two rows of parking and the street canopy, while providing the space required for the recommended bikeway. Alternatively, the Montgomery County Council could widen the master-planned right-of-way from 70 feet to 80 feet to accommodate the bikeway.

Planning Department staff will support the Town of Kensington's preferred approach: either remove the bikeway from the Bicycle Master Plan, maintain the bikeway and proceed with an approach to project design in which street trees are planted in curb extensions or widen the master-planned right-of-way to 80 feet.



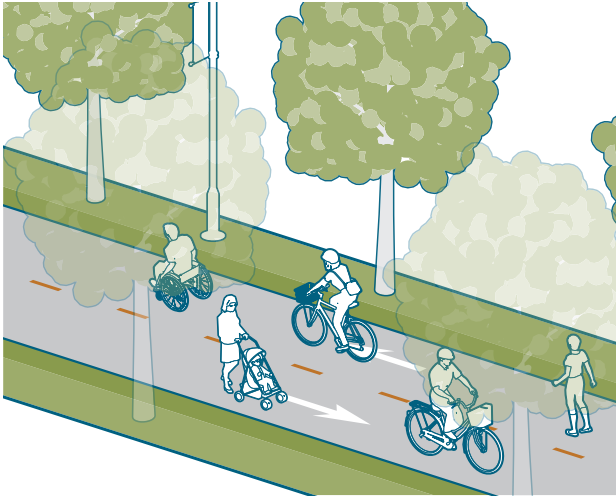
Attachments

Excerpts from Montgomery County Planning Department's Bicycle Facility Design Toolkit

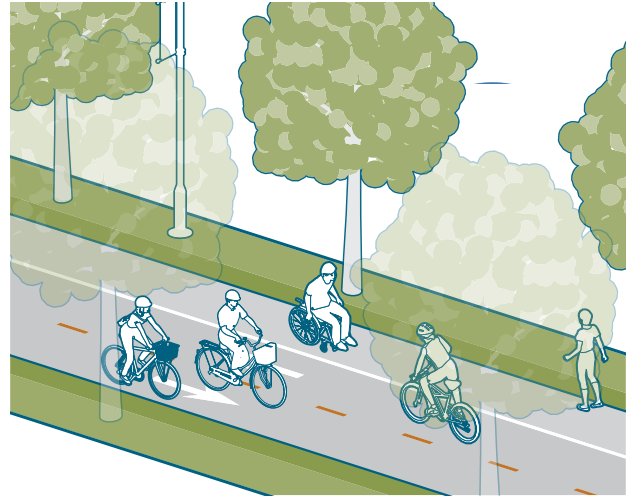
SIDEPATHS

Sidepaths are shared use paths located parallel to and within the road right-of-way, providing two-way travel for walking, bicycling, jogging and skating.

SIDEPATHS



Sidepath with mixed use



Sidepath with separate uses

TYPICAL APPLICATION

Generally considered on any road with one or more of the following characteristics:

- Total traffic lanes: 3 lanes or greater.
- Posted speed limit: 30 mph or faster.
- Average daily traffic: 6,000 vehicles or greater.
- Parking turnover: frequent.
- Bike lane obstruction: likely to be frequent.
- Designated as truck or bus routes.

Sidepaths may be preferable to separated bike lanes if low pedestrian volumes are anticipated in order to minimize right-of-way impacts.

GUIDANCE

- A minimum of a 2 foot graded area with clearance from lateral obstructions, such as bushes, large rocks, bridge piers, abutments and poles.
- A minimum 1 foot clearance from “smooth” features, such as bicycle railings or fences with appropriate flaring and treatments.
- Ideally, a graded shoulder area of 3 - 5 feet, with a 5 foot minimum buffer from traffic.

- Separation of modes in areas with existing or anticipated higher levels of activity, including a 10 foot (min) bikeway and a 5 foot (min) walkway.
- Adequate widths to enable side-by-side travel and passing, typically at least 11 feet wide.

CONSIDERATIONS

Sidepaths are attractive to a wider range of bicyclists compared to striped bikeways (see pages 12-15). Sidepath design requires:

- High-quality construction and maintenance that avoids pavement cracking and buckling.
- Asphalt is the preferred surface material. If concrete, use longer sections with small joints for a smoother riding experience.
- Intuitive and safe intersection crossings.
- Straight alignments to allow direct and higher speed travel.
- Removal of poles, trees or other obstructions that are present in many existing sidepath locations.
- Adequate lighting for nighttime use.

REFERENCES

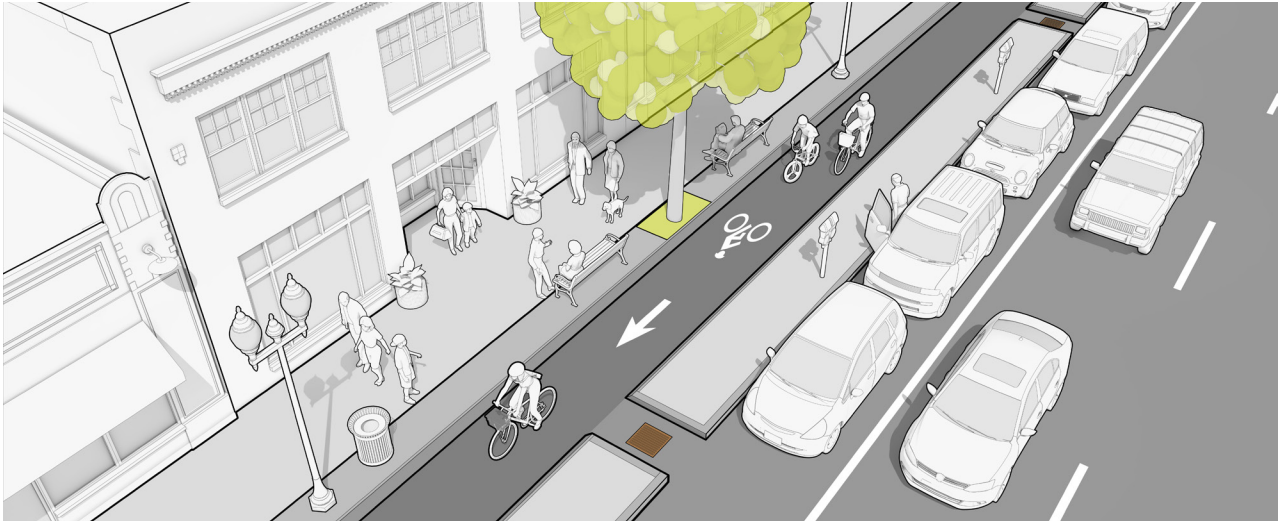
MassDOT. *Separated Bike Lane Planning and Design Guide*. 2015.

AASHTO. *Guide for the Development of Bicycle Facilities*. 2012.

SEPARATED BIKE LANES

Separated bike lanes are exclusive bikeways that combine the user experience of a sidepath with the on-street infrastructure of a conventional bike lane. They are physically separated from motor vehicle traffic and distinct from the sidewalk.

SEPARATED
BIKE
LANES



TYPICAL APPLICATION

Considered on any road with one or more of the following characteristics:

- Total traffic lanes: 3 lanes or greater.
- Posted speed limit: 30 mph or faster.
- Average daily traffic: 6,000 vehicles or greater.
- Parking turnover: frequent.
- Bike lane obstruction: likely to be frequent.
- Designated as truck or bus routes.

Preferred in higher density areas, adjacent to commercial and mixed-use development, and near major transit stations or locations where observed or anticipated pedestrian volumes will be higher.

GUIDANCE

On roads with two to four through lanes, one-way directional separated bike lanes are preferred to a two-way separated bike lane on one side of the street for the following reasons:

- Follow normal traffic flows, whereas two-way separated bike lanes can create unexpected movements.
- Simpler transitions to other facilities.

- Less likely need for signal modifications.

Separated bike lanes can provide different levels of separation:

- Flexible delineator posts (“flex posts”) offer the least separation and are appropriate as an interim solution.
- Raised buffers provide the greatest level of separation from traffic, but will often require road reconstruction.
- On-street parking offers a high-degree of separation, but may require raised buffer treatments at intersections.

See pages 38-43

CONSIDERATIONS

- More attractive to a wider range of bicyclists than striped bikeways on higher volume and faster speed roads.
- Prevent motor vehicles from driving, stopping or waiting in the bikeway.
- Provide greater comfort to pedestrians by separating them from bicyclists.

Front Entrance Address Detail
Existing dimensional Address on Awning 26.6 sf



Sign 1 - East Elevation



**This is a Draft Mockup ONLY,
NOT A FORMAL PROOF.**

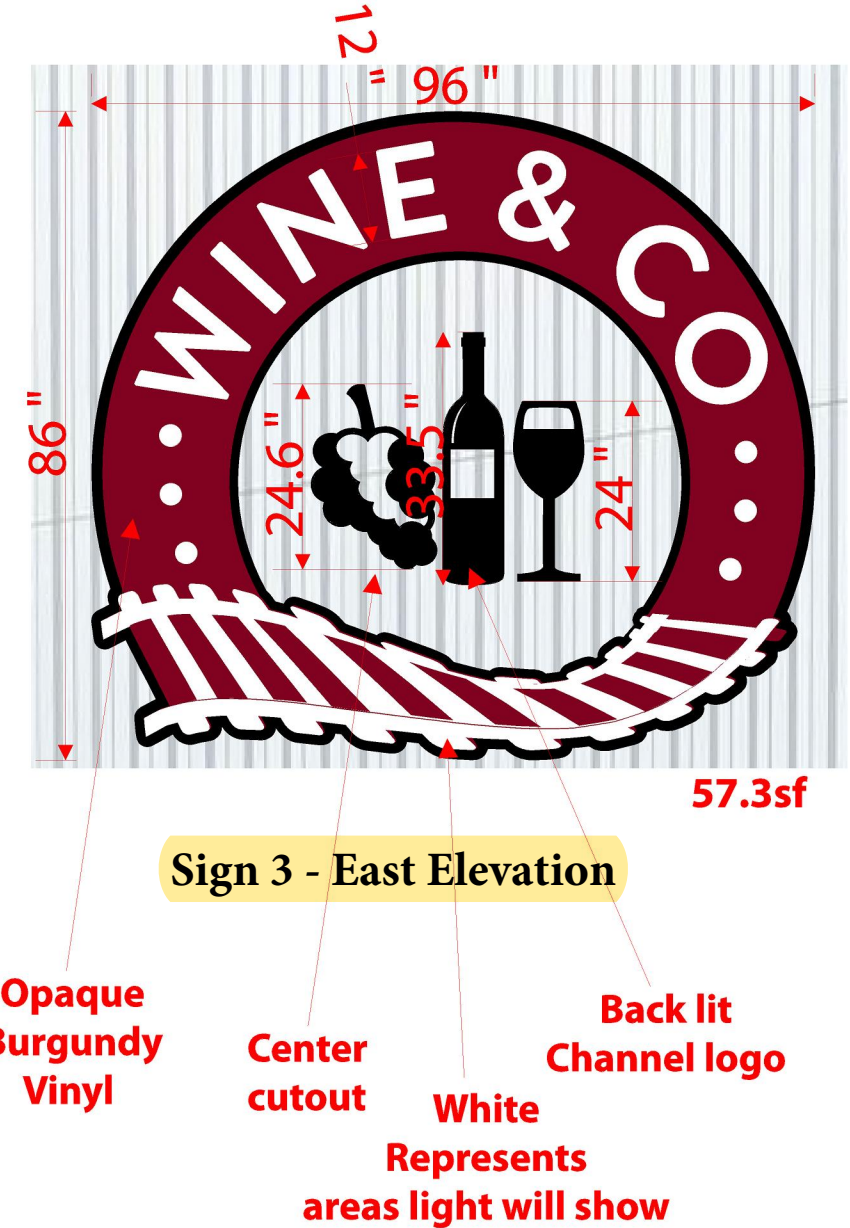
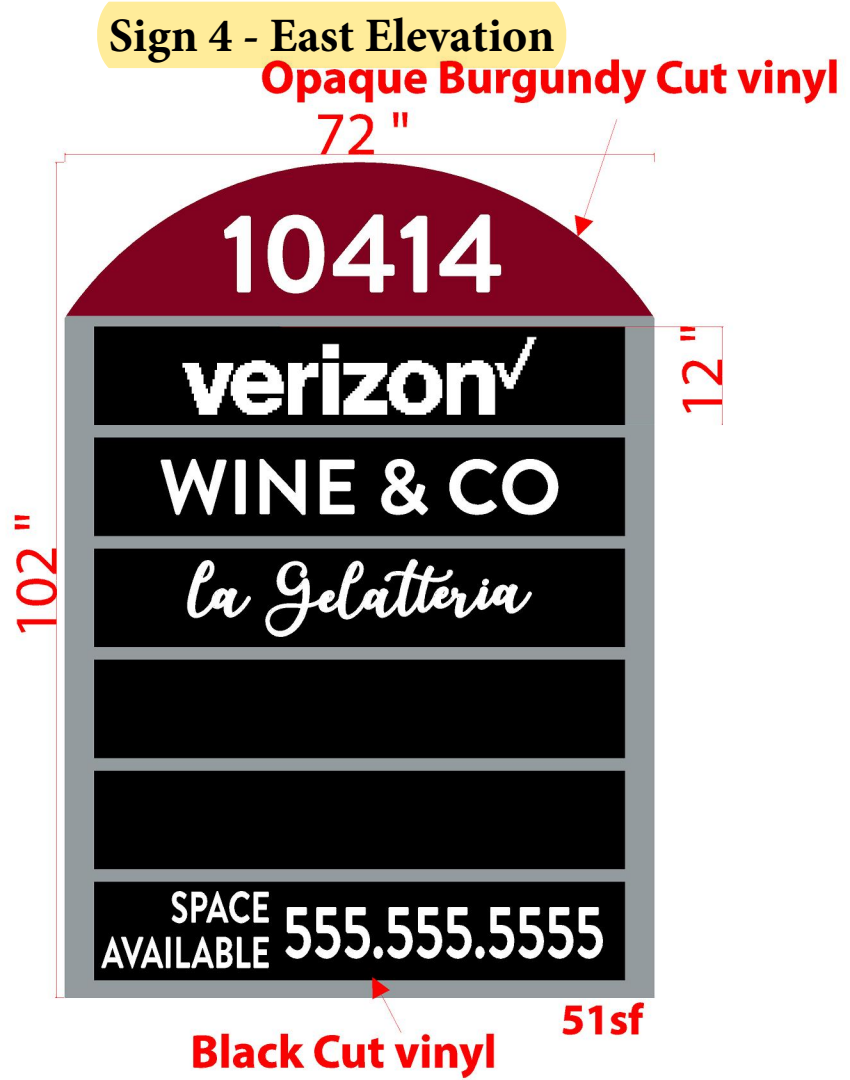
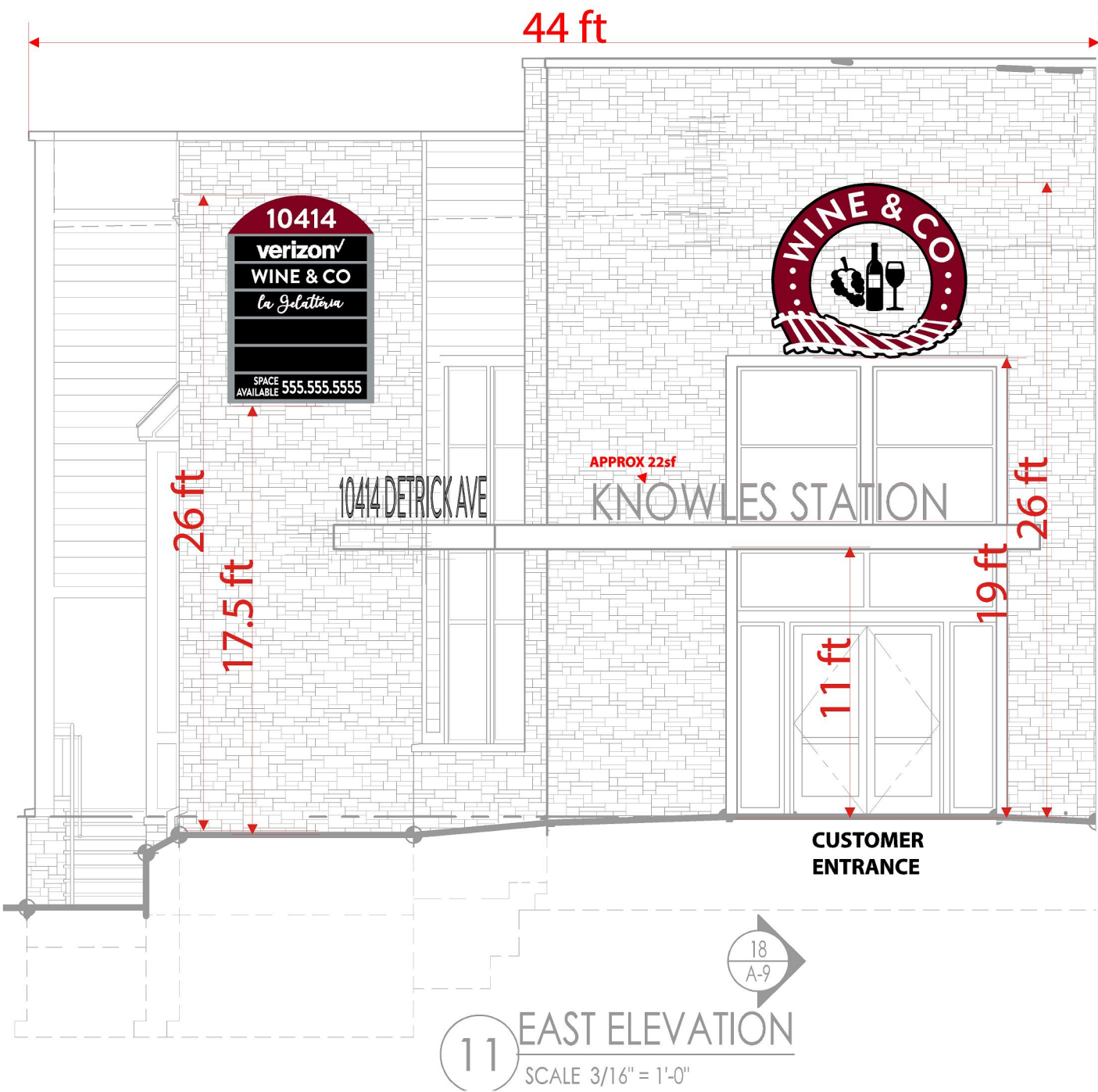
The artwork used in this rendering is not necessarily print quality and for display purposes only.
Artwork **MUST** be provided in high resolution format, appropriate for large format printing.
Preferred files types are: eps or pdf vector files. 300 dpi jpeg files are also acceptable for certain applications.
Additional fees may apply if artwork is unacceptable.

- NOTES:**
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Front Entrance Signs

96"w Illuminated Logo; 72"w x 102"h Illuminated Directory Light box (6 inserts)



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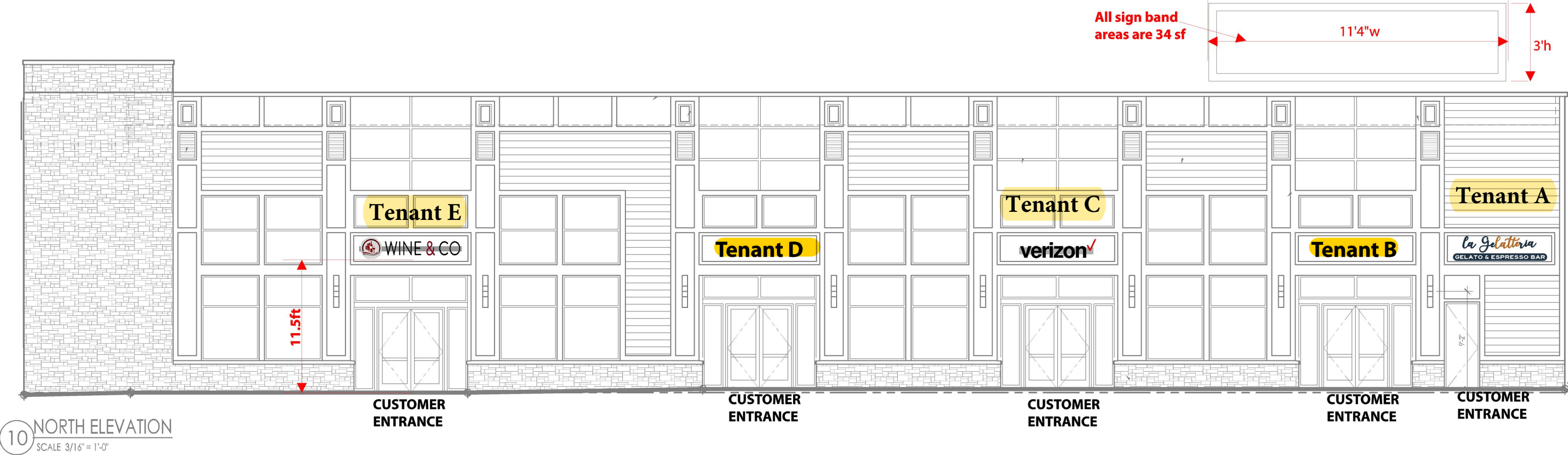
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NORTH ELEVATION

Tenant Signage

Channel letters on raceway, translucent cut vinyl, front-lit (Black will be day-night vinyl)

Note: Linear width for all tenant building frontage 28ft

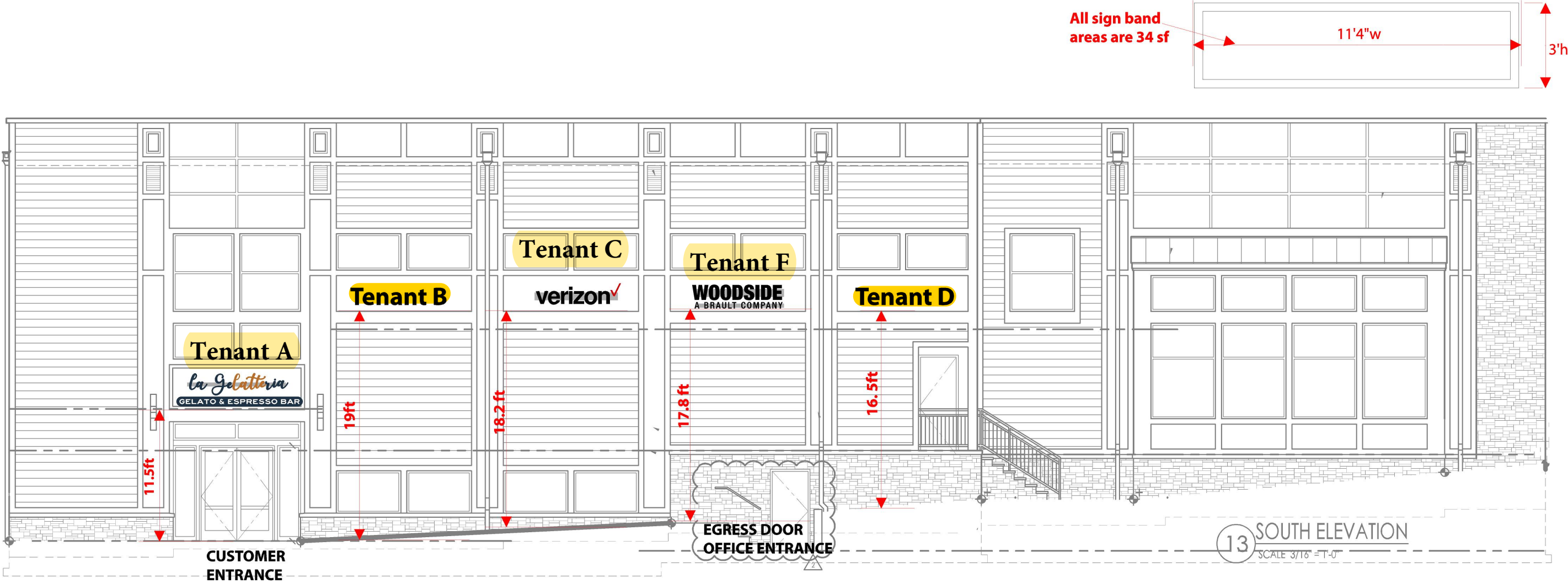


SOUTH ELEVATION

Tenant Signage

Channel letters on raceway, translucent cut vinyl, front-lit (Black will be day-night vinyl)

Note: Linear width for all tenant building frontage 28ft

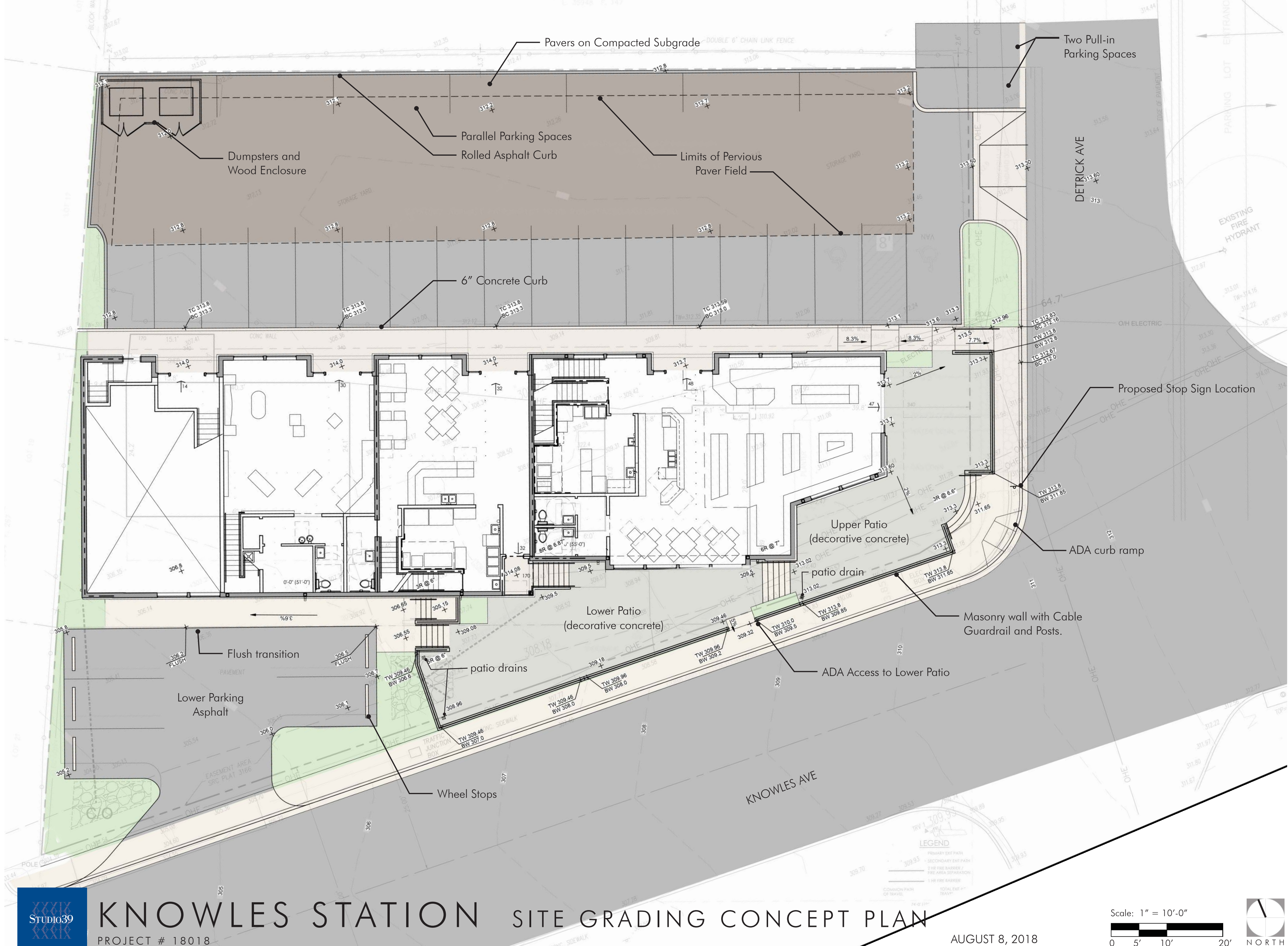


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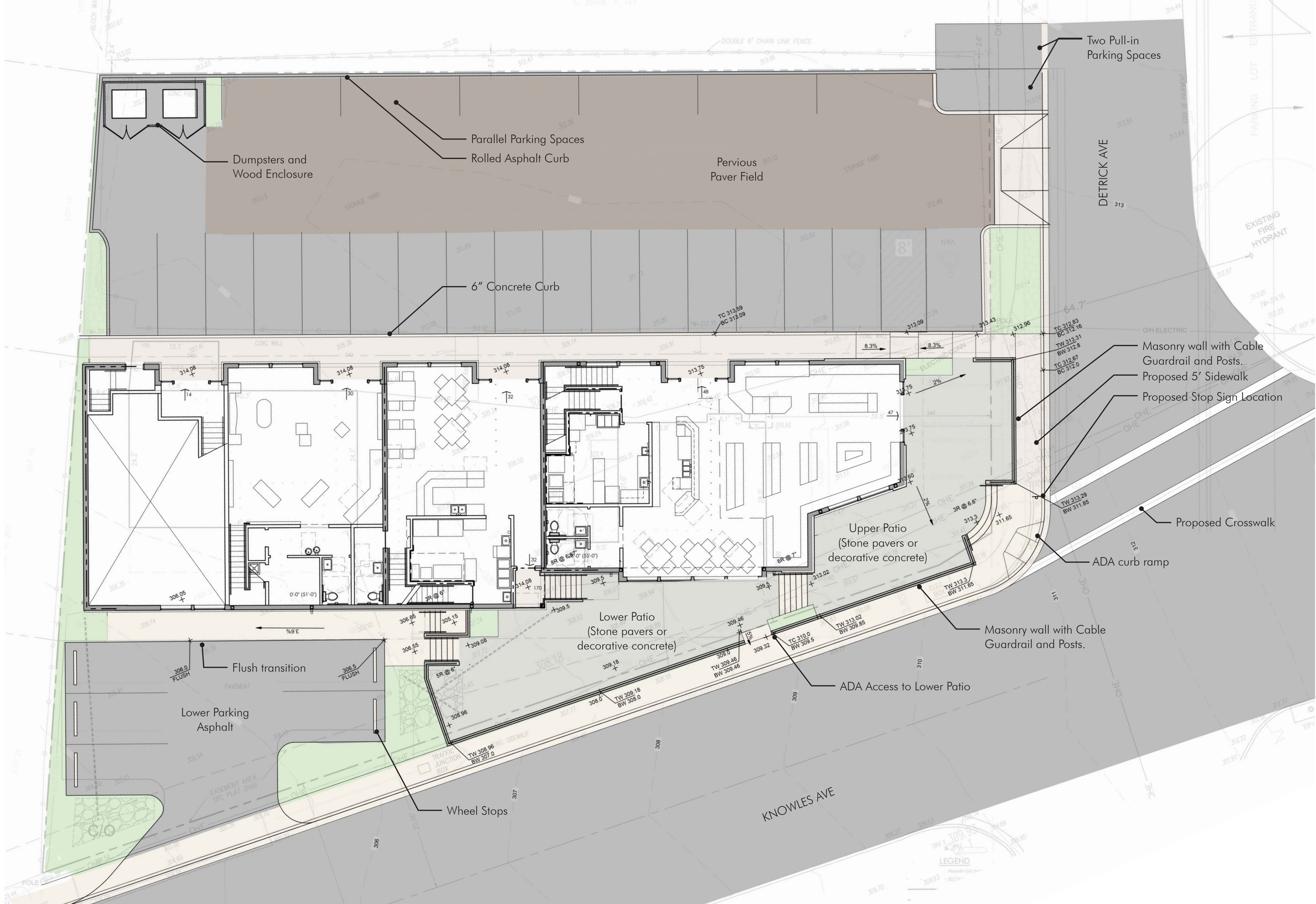
KNOWLES STATION SITE GRADING CONCEPT PLAN

PROJECT # 18018

AUGUST 8, 2018

Scale: 1" = 10'-0"





10414 Detrick Avenue Variances

East Elevation

1. The Sign Allowance Calculation allows for 61 square feet of signage.
 - a. The applicant is requesting 112 square feet of signage.
 - i. A Variance for an addition 51 square feet of signage for the East Elevation is being requested under Section 6-104(f), "Allowable Sign Calculations" of the Town Code.
 - ii. The 51 square feet being requested would accommodate signs 1, 2, 3, and 4 on the East Elevation diagram.
2. Properties abutting, contiguous or confronting, or within 150 feet of a residential property or use requires that all signage illumination light sources be turned off at the close of business or 10:00 pm, whichever occurs first.
 - a. The applicant is requesting that all signage on the East Elevation be allowed to stay on (illuminated) 24 hours a day.
 - i. A Variance to allow illumination on the East Elevation during non-operational hours is being requested.

North Elevation

1. Sign Allowance Calculation allows for 158 square feet of signage.
 - a. The applicant is requesting 170 square feet of signage.
 - i. A Variance for an additional 12 square feet of signage for the North Elevation is being requested under Section 6-104(f), "Allowable Sign Calculations" of the Town Code.
 - ii. The 12 feet being requested would accommodate Tenant signs A, B, C, D, and E.
2. Properties abutting, contiguous or confronting, or within 150 feet of a residential property or use requires that all signage illumination light sources be turned off at the close of business or 10:00 pm, whichever occurs first.
 - a. The applicant is requesting that Tenant signs A, B, and C on the North Elevation be allowed to stay on (illuminated) until 10:00 pm, even if the business has already closed for public business.
 - i. A Variance to allow illumination on Tenant signs A, B, and C until 10:00 pm, even if the business is already closed for public business, is being requested.
 - b. The applicant is requesting that Tenant signs D and E on the North Elevation be allowed to stay on (illuminated) 24 hours a day.

- i. A Variance to allow illumination on the North Elevation during non-operational hours is being requested.

South Elevation

1. Sign Allowance Calculation allows for 112 square feet of signage.
 - a. The applicant is requesting 170 square feet of signage.
 - i. A Variance for an additional 58 square feet of signage for the South Elevation is being requested under Section 6-104(f), "Allowable Sign Calculations" of the Town Code.
 - ii. The 58 feet being requested would accommodate Tenant signs A, B, C, D, and F.
2. Properties abutting, contiguous or confronting, or within 150 feet of a residential property or use requires that all signage illumination light sources be turned off at the close of business or 10:00 pm, whichever occurs first.
 - a. The applicant is requesting that Tenant signs A, B, C, D, and F on the South Elevation be allowed to stay on (illuminated) until 10:00 pm, even if the business has already closed for public business.
 - i. A Variance to allow illumination on Tenant signs A, B, C, D, and F until 10:00 pm, even if the business is already closed for public business, is being requested.

County Code - Section 6.7.6, "Permanent Signs, In General"

E. Illumination

When illumination of a sign is permitted, the applicant must satisfy the following requirements:

1. An electrical permit must be obtained under Chapter 17;
2. Sign illumination must use an enclosed lamp design or indirect lighting from a shielded source and be 0.5 footcandles or less at the property line if the subject property abuts a property that is improved with a residential use in any zone or is vacant in a Residential zone;
3. A sign illuminated in a pattern or lighting combination that resembles a traffic signal is prohibited;
4. A sign illuminated by flashing, revolving or intermittent lights, or lights of changing intensity is prohibited; and
5. A sign on a lot or parcel within 150 feet of a residential use must be illuminated only during the hours the entity is open for public business, unless the applicant demonstrates that the sign is located so that no adverse impact will affect the residential use.

Statute Text

Article - Local Government

[\[Previous\]](#)[\[Next\]](#)

§4-408.

(a) Subject to § 4-413 of this subtitle, at any time within 45 days after enactment of an annexation resolution, at least 20% of the registered voters who are residents in the area to be annexed may petition the chief executive and administrative officer of the municipality in writing for a referendum on the resolution.

(b) After a petition is presented to the chief executive and administrative officer, the officer shall verify:

- (1) the signatures on the petition; and
- (2) that the petition meets the requirements of subsection (a) of this section.

(c) After verifying compliance with the requirements of this section, the chief executive and administrative officer, by proclamation, shall suspend the effectiveness of the annexation resolution pending the results of the referendum.

[\[Previous\]](#)[\[Next\]](#)

Steven P. Henne
10815 Madison Street
Kensington, MD 20895
301-580-2109

October 24, 2018

HAND DELIVERED

Mayor and Town Council of Kensington, Maryland
Sanford W. Daily, Town Manager
Town Hall
3710 Mitchell Street
Kensington, Maryland 20895

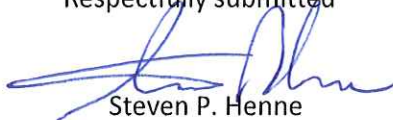
Re: Petition for Referendum
on Amended Annexation Resolution No. AR-01-2018

Dear Madam and Sirs:

Submitted herewith is "Petition for Referendum on Amended Annexation Resolution No. AR-01-2018", consisting of two pages with signatures of twenty-one registered voters residing in the area to be annexed under the subject Resolution.

Thank you for your consideration.


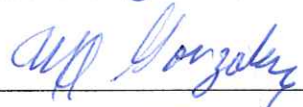
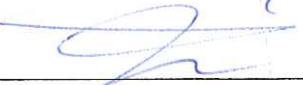
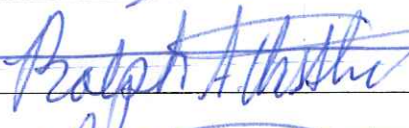
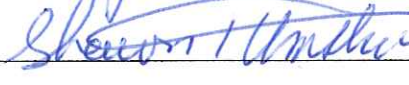
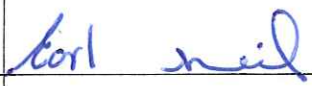
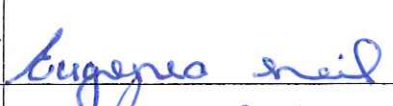

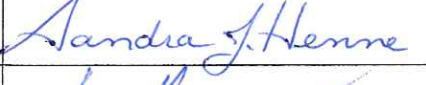

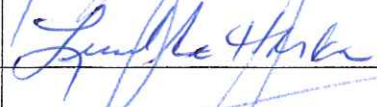
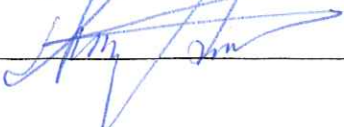
Respectfully submitted



Steven P. Henne


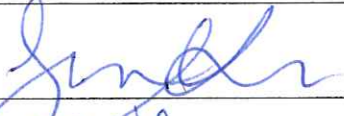
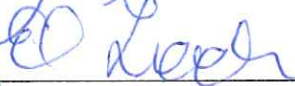


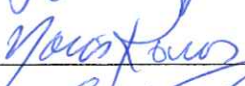
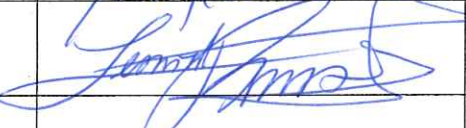



PETITION FOR REFERENDUM ON AMENDED ANNEXATION RESOLUTION NO. AR-01-2018

We, the undersigned, being registered voters and residents of the area to be annexed by the Town of Kensington, do hereby, pursuant to section 4-408 of the Local Government Article of the Annotated Code Maryland, petition the Mayor and Town Council of the Town of Kensington, Maryland, for a referendum on Amended Annexation Resolution No. AR-01-2018 adopted by the Town Council on September 10, 2018.

Printed Name of Registered Voter	Signature of Registered Voter	Street Address	Date
MARK F. CHARLTON		3513 Decatur Ave.	10/21/18
ANA GONZALEZ		3601 Decatur ave	10/22/18
Anatolia Gonzalez		3601 Decatur ave	10/22/18
Ralph A. Umstead		3512 Decatur Ave.	10/22/18
Shawn T. Umstead		3512 Decatur Ave.	10/22/18
Earl Neil		3510 Decatur AVE	10/21/18
Eugenia Neil		3510 Decatur AVE	10/21/18
STEVEN P. HENNE		10815 MADISON ST.	10/21/18
Sandra J. Henne		10815 Madison St.	10/21/18
Josi George		3518 Decatur Ave.	10/21/18
Lucille HARDIN		3580 Decatur Ave	10/21/18
ISAAC Ramos		10821 Madison st	10/21/18

PETITION FOR REFERENDUM ON AMENDED ANNEXATION RESOLUTION NO. AR-01-2018

We, the undersigned, being registered voters and residents of the area to be annexed by the Town of Kensington, do hereby, pursuant to section 4-408 of the Local Government Article of the Annotated Code Maryland, petition the Mayor and Town Council of the Town of Kensington, Maryland, for a referendum on Amended Annexation Resolution No. AR-01-2018 adopted by the Town Council on September 10, 2018.

Printed Name of Registered Voter	Signature of Registered Voter	Street Address	Date
XXXXXX			
Linh Tran		3406 University	10/22/2018
Jordin Garcia		3605 Perry Ave	10/22/18
Elizabeth Leach		3613 Perry Ave	10/22/18
XXXXXX			
Ricardo Velazquez		3516 Decatur Ave	10/22/18
Aurelyys Ramos		10821 Madison St Kensington MD	10/23/18
Noris Ramos		10821 Madison St Kensington MD	10/23/18
Leonardo Ramos		10821 Madison St Kensington, MD 20895	10/23/18
Enily Anna Gonzalez		3601 Decatur Ave	10/23/18
Elaine Marie		3506 Decatur Ave.	10/23/2018
Sanjay Chabna		10812 Saint Paul St Kensington MD 20895	10/23/18

We, the undersigned, being registered voters and residents of the area to be annexed by the Town of Kensington, do hereby, pursuant to section 4-408 of the Local Government Article of the Annotated Code Maryland, petition the Mayor and Town Council of the Town of Kensington, Maryland, for a referendum on Amended Annexation Resolution No. AR-01-2018 adopted by the Town Council on September 10, 2018.

[illegible]



DEPARTMENT OF TRANSPORTATION

Isiah Leggett
County Executive

October 24, 2018

Al R. Roshdiah
Director

The Honorable Tracey Furman
Town of Kensington
3710 Mitchell Street
Kensington, Maryland 20895

Dear Mayor Furman:

Over the past year the Montgomery County Department of Transportation (MCDOT) has been conducting a pilot project to test the use of dockless bikes in the Silver Spring/Takoma Park area. While there were some issues early-on in the pilot, most of those were able to be resolved through cooperative efforts among residents, businesses, dockless bike vendors and users, and MCDOT. Many residents, employees and visitors in the pilot area now find the dockless bikes useful as a way to get around downtown Silver Spring, Takoma Park and adjoining residential communities without needing to use a car.

MCDOT is now considering expanding the pilot area beyond the existing boundaries, and allowing some of the newer forms of dockless vehicles you may have seen in other parts of our region to be part of that expanded pilot – including electric pedal-assist bikes (“e-bikes”) and electric scooters (“e-scooters”) as well as continuing with the current dockless bikes. If approved, each vendor would have to execute a new Memorandum of Agreement with MCDOT. This expanded pilot program would begin before the end of this calendar year and would probably extend for one year. However, we want to get input from the community on how best to proceed. Three Town Hall meetings for that purpose have been scheduled. More information is included in the attached press release and flyer, which include a map of the potential pilot area and the meeting schedule. We would appreciate your help in getting the word out about these meetings to residents and businesses in your area.

For purposes of this expanded pilot program, we are offering the opportunity to jurisdictions like yours to opt-in to the program; otherwise your area would not be included in the pilot. If you opt-in, residents, visitors and any businesses located within your jurisdiction would be able to have access to dockless bikes, e-bikes and e-scooters for door-to-door transportation on the same basis as the rest of the County’s proposed expanded pilot area. If you decide not to opt-in, we would direct the vendors offering these services to “geo-fence” your jurisdiction as “off-limits,” so riders would not be permitted to end a trip or park within your jurisdiction. If the rider ignored the in-app warnings, they would incur penalties defined by the individual companies, including possible restrictions on future participation. Vehicles left within that geo-fenced area would be removed by the vendors as quickly as possible. Correspondingly, none of these vehicles would be available to start a ride from your jurisdiction.

Office of the Director

101 Monroe St., 10th Floor • Rockville, Maryland 20850 • 240-777-7170 • 240-777-7178 FAX
www.montgomerycountymd.gov/dot

The Honorable Tracey Furman

October 24, 2018

Page 2

We would like to receive feedback from your jurisdiction on this initiative – including any concerns or guidelines you would suggest for the expanded pilot, and a decision regarding whether you want to opt-in or prefer to remain out of the program. In the event we do not receive a response, your jurisdiction will be excluded from the pilot. MCDOT reserves the right to modify the pilot boundaries at any time, so any jurisdiction may opt-in or opt-out after the expanded pilot begins. If you would like to meet with us to discuss this further, we will be happy to arrange that.

We look forward to hearing from you and your community and hope you will decide to participate in this exciting opportunity to test new forms of transportation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Conklin', with a stylized, flowing script.

Chris Conklin,
Deputy Director for Transportation Policy

CC:nb

Enclosure

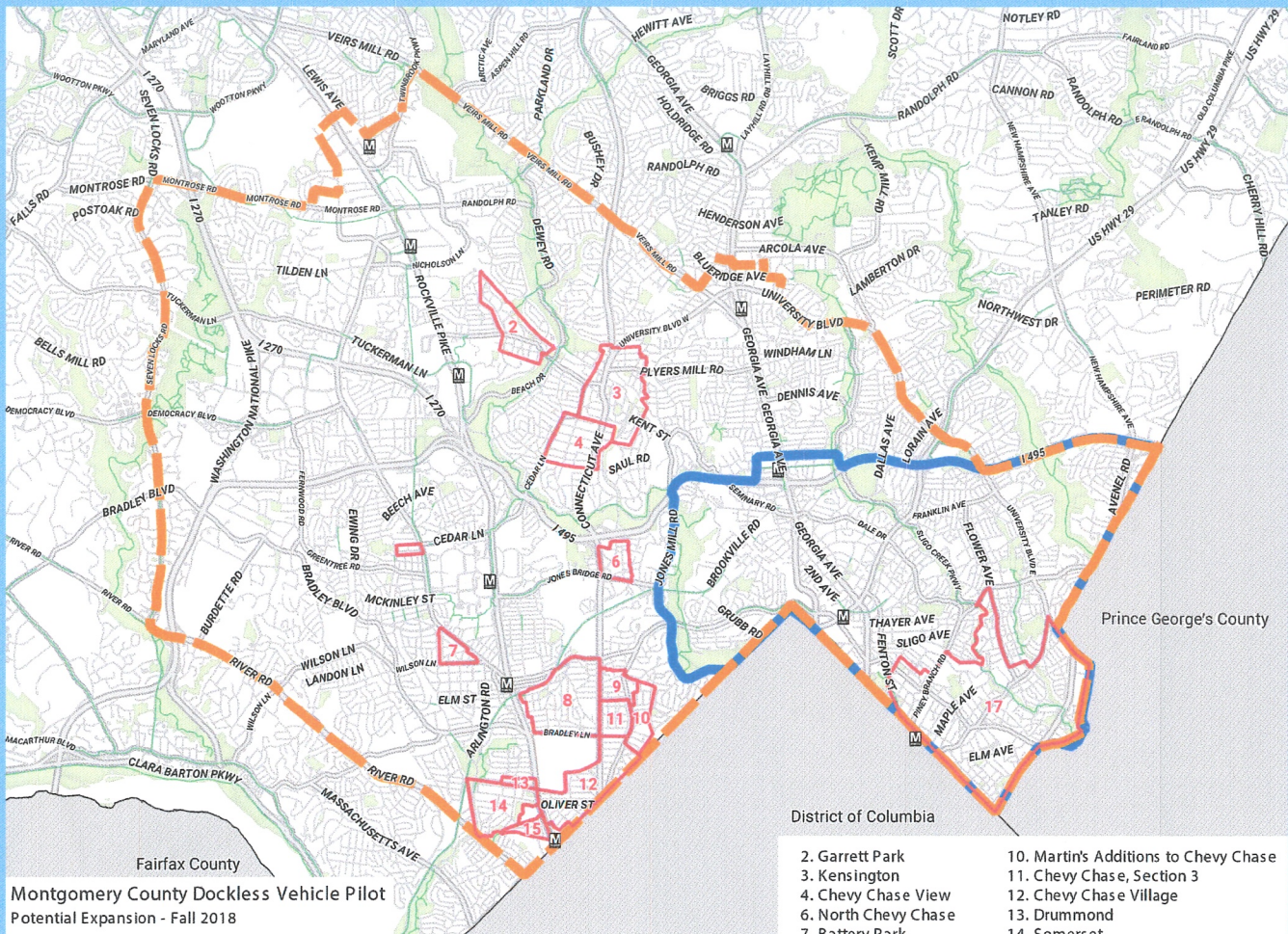
(Press Release & Flyer w/ Map & Town Hall Meeting Schedule)

PROPOSED PILOT PROJECT TO EXPAND DOCKLESS BIKES AND INTRODUCE E-SCOOTERS

Montgomery County Department of Transportation (MCDOT) proposes a one-year expansion of dockless bikeshare currently located in Silver Spring and Takoma Park, to Friendship Heights, Bethesda, North Bethesda (including White Flint), Veirs Mill and Wheaton (see map). In addition, the pilot may include e-bikes (pedal-assist) and e-scooters.

HOW IT WORKS:

- Use a smartphone app to register to use the GPS-enabled bikes, pedal-assist bikes and e-scooters, then locate and unlock them.
- E-scooters would be picked up by 9 p.m. each night, charged and placed back in circulation the next morning.



- ▬ Potential Dockless Pilot Area
- ▬ Current Dockless Pilot Area
- ▬ Other Jurisdictions*
- ▬ Trail

1 0 1 2 mi



- 2. Garrett Park
- 3. Kensington
- 4. Chevy Chase View
- 6. North Chevy Chase
- 7. Battery Park
- 8. Town of Chevy Chase
- 9. Chevy Chase, Section 5
- 10. Martin's Additions to Chevy Chase
- 11. Chevy Chase, Section 3
- 12. Chevy Chase Village
- 13. Drummond
- 14. Somerset
- 15. Friendship Heights Village
- 17. Takoma Park
- Oakmont (unnumbered)

*Vehicles will not be permitted to end trips or park in County villages and towns that do not opt into the expanded program.

QUESTIONS ABOUT THE EXPANSION?

Contact MC311 or 240-773-BWTW (2989)
commuter.services@montgomerycountymd.gov

Before expanded operations begin dockless bikeshare and e-scooter companies will be required to sign a Memorandum of Understanding with Montgomery County that spells out performance requirements.

Public Invited to Provide Input on Possible Expansion of Dockless Vehicles Pilot

The Town Hall meetings will all be held from 7 to 8:30 p.m. on:

- **Monday, October 29**

Maryland-National Capital Park and Planning Commission Auditorium,
8787 Georgia Avenue, Silver Spring

- **Tuesday, October 30**

Bethesda Chevy Chase High School Cafeteria,
4301 East West Hwy, Bethesda

- **Thursday, November 1**

Walter Johnson High School Cafeteria,
6400 Rock Spring Drive, Bethesda

MC²DOT
Montgomery County
Department of Transportation



Press Releases - Department of Transportation

Public Invited to Provide Input on Possible Expansion of Dockless Bikeshare Beyond Silver Spring and Takoma Park; Also Being Considered is Allowing e-Bikes and e-Scooters

For Immediate Release: Monday, October 22, 2018

The Montgomery County Department of Transportation (MCDOT) seeks public input on the potential expansion of dockless bikeshare beyond the current pilot area in Silver Spring and Takoma Park. Additional areas under consideration are Bethesda, North Bethesda (including White Flint), Friendship Heights, Chevy Chase, Veirs Mill and Wheaton. Input is also sought on whether to allow the use of pedal-assist, electric "e-bikes" and e-scooters in these areas. The public will have an opportunity to weigh in at three upcoming MCDOT-sponsored Town Hall meetings and through an online survey that will be available later this week. A map of the proposed expansion area is available online.

The Town Hall meetings will all be held from 7 to 8:30 p.m. on:

- Monday, October 29, Maryland-National Capital Park and Planning Commission Auditorium, 8787 Spring Street, Silver Spring
- Tuesday, October 30, Bethesda Chevy Chase High School Cafeteria, 4301 East West Hwy Bethesda
- Thursday, November 1, Walter Johnson High School Cafeteria, 6400 Rock Spring Drive, Bethesda

To date, two companies have expressed an interest in either starting or expanding operations in Montgomery County, and representatives from these companies will be available at the Town Hall meetings to speak with the public. Before expanded operations would be allowed, dockless, e-bike and e-scooter companies would be required to sign a Memorandum of Understanding (MOU) with Montgomery County that spells out operational and performance requirements. Input from the public will inform the provisions of those MOUs.

Dockless electric bikes and scooters are not allowed to operate on Montgomery County park trails and will not be permitted to end trips or park in Montgomery County villages and towns that do not opt into the expanded program.

Montgomery County Maryland

Those interested in using the GPS-enabled vehicles register through a smartphone app that then allows users to locate, unlock and lock the bikes and scooters, and pay for rides. Riders must obey bicycle laws and are encouraged to wear helmets and reflective items.

MCDOT has completed an evaluation of the year-long, dockless bikeshare pilot project in Silver Spring and Takoma Park. During that time, adjustments to the program were made based on public input that greatly reduced the number of reported concerns.

The evaluation found that the program was generally quite successful in providing short, point-to-point trips. Riders took a total of about 18,000 trips over a six-month period using bikes from the two companies maintaining operations in the pilot area. Most trips were conducted within the pilot area boundaries, though about 15 percent of trips ended in areas of the County outside the pilot area. Incidents of improper parking of the bikes reduced over time as the companies improved their "in-app" communications and users became more familiar with the rules. During a six-week observation period, bikes were found to generally be in good operating condition, without significant incidences of missing parts. During that period, most bikes observed were parked appropriately, while seven percent were parked in a way that caused an obstruction.

Release ID: 18-192

Media Contact: Esther Bowring 240-777-7170



Sign Up to
Go Montgomery

Sign Up for
Ride On Alerts

There were several questions about the sign ordinance, and what restrictions the Town may adopt. Overall, with respect to signs, the Town is authorized under §20-509 of the Land Use Article, Annotated Code of Maryland, to adopt stricter standards than the County with respect to commercial signs. The specific section states as follows:

§20-509- Municipal building requirements; regulation of signs.

In general. -- Subject to subsections (b), (c), and (d) of this section, by local law, the legislative body of a municipal corporation or governed special taxing district may impose an additional or stricter building requirement than is required by a State, regional, or county unit that exercises zoning or planning authority over the municipal corporation or governed district if the authority is exercised in addition to the State, regional, or county zoning or planning authority.

Regulation of commercial signs. -- By local law, a municipal corporation or governed special taxing district may enact an additional or stricter commercial sign regulation than is imposed by the State, the Commission, or the county.

We discussed the question of whether and how the Town could regulate commercial real estate signs on private property. The answer is "Yes". This may be done so long as the regulation is content neutral. As you will recall, *Reed v. Town of Gilbert* is a Supreme Court case that requires sign ordinances to be content neutral. The Town's sign ordinance was amended in 2017 to comply with this requirement.

Currently the Town regulates three types of signs in the CRT, CRN and Industrial Zones. There is a list of prohibited signs, all permanent signs must be permitted, and an authorized A-frame sign must be permitted as a limited duration sign. Any other types of signs are still regulated by County law if not specifically regulated by the Town. As a result, any non-permanent signs, such as banners and wooden signs, are governed at this point by County law unless they are on the list of signs prohibited by Town law, or are limited duration A-frames.

The County views non-permanent signs as limited duration or temporary. Temporary signs can be posted for up to 30 days. Limited duration signs are allowed for up to one year. This type of sign must be dated on the reverse side. The County views banners as limited duration signs, which cannot exceed 50 square feet in area and cannot be more than 26 feet above the street.

The Town has the authority to regulate limited duration signs and temporary signs. It can shorten the amount of time a limited duration sign can be allowed. It can limit or prohibit a type of sign, such as a banner. It cannot limit signs based on content.

RESOLUTION NO. R-17-2018

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF KENSINGTON,
MARYLAND PROCLAIMING NOVEMBER TO BE MUNICIPAL GOVERNMENT
WORKS MONTH IN KENSINGTON, MARYLAND**

WHEREAS, the Town of Kensington was incorporated on April 6, 1894 by an Act of the Maryland General Assembly; and

WHEREAS, Maryland is home to 157 municipalities and 2 Special Taxing Districts, represented by the Maryland Municipal League; and

WHEREAS, municipal government represents the most responsive level of government, allowing citizens to have direct access to elected officials; and

WHEREAS, in an effort to educate citizens about municipal government and the importance of their participation, the Town of Kensington is proud to promote municipal government awareness; and

WHEREAS, municipalities have enhanced the quality of life for their respective residents maintaining natural and historic sites and structures and helping to make Maryland a great place to live, work, play, and explore.

NOW, THEREFORE, BE IT PROCLAIMED that the Mayor and Council of the Town of Kensington, Maryland do hereby join the Maryland Municipal League in declaring November to be Municipal Government Works Month in Kensington, Maryland.

ADOPTED by the Mayor and Town Council, in public meeting assembled, this **5th** day of **November, 2018**.

Tracey C. Furman, Mayor

THIS IS TO CERTIFY that the foregoing Resolution was adopted by the Town Council in public meeting assembled on the **5th** day of **November, 2018**.

Susan Engels, Clerk-Treasurer