

Citizens Coordinating Committee on Friendship Heights

June 1, 2016

Chairman Casey Anderson and Members of the Board
Montgomery County Planning Board
8787 Georgia Ave.
Silver Spring, Maryland 20910

Re: Subdivision Staging Policy: Transportation component

Dear Chair Anderson, Vice Chair Wells-Harley, and Commissioners Dreyfuss, Fani-Gonzalez, and Presley:

The Citizens Coordinating Committee on Friendship Heights (CCCFH) submits these comments on the Public Hearing draft of the 2016 Subdivision Staging Policy (May 19, 2016). We appreciate the opportunity to comment.

In general, we endorse what the Subdivision Staging Policy (SSP) should be designed to ensure - that the change in our communities as a result of new development is accompanied by the public infrastructure necessary to support development. The tools and metrics on transportation should directly and objectively involve the conditions that the public faces and is affected by - - congestion and flow/delays in traffic. Instead, the Public Hearing draft policy would adopt a new subjective transportation adequacy test focusing on transit accessibility (defined as the number of jobs that can be reached within a 60-minute travel time by walk-access transit). We strongly object to this proposed change. Instead of changing the test and metrics, the Planning Board should improve the existing tests and metrics. The Board should better address delays and queuing that result from congested traffic conditions.

We are deeply concerned that a consequence of the proposal would be a worsening of traffic conditions, which will not be seriously addressed much less solved, while the planners embrace a future and unfunded multimodal transit plan.

The Public Hearing draft would keep the fees on the same order of magnitude as existing fees. This seems to be based on a misconception that the existing fees are sufficient. The fact that they are not sufficient is amply shown by increases in congestion and the fact that the Council just raised property taxes significantly, which reflects the inadequacy of current fees developers pay.

We now turn to some provisions of the Public Hearing draft Subdivision Staging Policy.

Representing the Citizens Associations of Brookdale, Chevy Chase Village, Chevy Chase West, Drummond, Glen Echo Heights, Green Acres-Glen Cove, Kenwood, Kenwood Condominium, Kenwood House Cooperative, Kenwood Place Condominium, Mohican Hills, Somerset, Springfield, Sumner, Sumner Village Condominium, Westmoreland, Westbard Mews, Westwood Mews, and Wood Acres

Introduction

As stated in the draft, the Subdivision Staging Policy (SSP) ensures that the change in our communities as a result of new development is accompanied by the public infrastructure necessary to support it. Public Hearing draft, page 5.

We believe that infrastructure should be in place by the time of development, not on a future planning horizon. The timing of development should be matched to the availability of public facilities. Developers should pay for this necessary public infrastructure.

Transportation

The discussion on transportation asks whether the tools and resulting metrics measure what is important to the community. Page 15. It notes that this question has been at the center of discussions about the SSP since the last review of the policy in 2012. It then observes that there appears to be a general acknowledgement that the County has a technically sound and relatively well documented and time-tested approach, but fairly notes some concerns.

As to roadway adequacy, the Public Hearing draft policy summarizes two existing reviews: policy area and immediate area conditions. The policy area review process, Transportation Policy Area Review (TPAR), assesses the degree to which conditions in the development site's Policy Area are adequate from an aggregate perspective. The Local Area Transportation Review (LATR) process assesses the degree to which conditions in the immediate vicinity of the development site are adequate, where the vicinity of the site is determined by the size of the project. See p. 25.

More particularly, Transportation Policy Area Review - the area-wide test for automotive travel - is based on a level of service threshold for arterial roadway segments within any specific policy area. The key metric of TPAR is the percentage of free flow speed attainable in the peak travel direction during the evening peak period with the results weighted by vehicle miles of travel to reflect the effect on the overall network. The metric is produced by the Planning Department's Regional Travel Demand Model.

As noted in the Public Hearing draft, one of the most common views in favor of the metric is that the measurement is a close approximation of what drivers care the most about - travel speed - now and in the future. Page 16.

Second, there is Local Area Transportation Review (LATR) and Level of Service (LOS) consideration. LATR is used to evaluate the capacity of intersections affected by proposed development. The Public Hearing draft points out that currently, a primary tool used for determining adequacy with respect to LATR is estimating Critical Lane Volume (CLV) - the maximum traffic volume per lane - at roadway intersections. The CLV estimates are determined through conventional traffic impact studies that take into account existing traffic volumes, traffic derived from new surrounding approved development, and programmed improvements to the transportation network. In addition, Level of Service (LOS) describes the relative operating conditions and congestion levels - levels of delay experienced by motorists.

As noted by the Public Hearing draft, proponents of the tools note that the CLV metric has served as a reasonable and valuable screening tool for identifying traffic impacts at specific intersections. P. 16. But the assessment of adequacy does not reflect a traveler's actual experience. LATR relies heavily on intersection critical lane volume (CLV), which does not reflect travel time, delay or queuing that can result from congested conditions. P. 26. Too many LATR studies result in a finding of no impact. P. 26

At least in theory, new development that degrades traffic conditions below set standards must now be scaled back or future congestion must be mitigated.

Environment

The report notes that there are as yet no Adequate Public Facility Ordinance-like tests for environmental quality. P. 19

A fundamental problem with the Public Hearing draft policy, as it relates to transportation, is that the environmental analysis ignores a global crisis – climate change. The transportation sector is a significant source of greenhouse gases. It is made up of more than hundreds of millions of vehicles, as well as other sources such as ships, trains and airplanes. To reduce the aggregate total emissions, a very large number of relatively small improvements must be made. Montgomery County is a significant source area of greenhouse gas emissions, which contribute to climate change, because there are many operating vehicles barely moving or even standing still, while in the aggregate emitting huge amounts of carbon dioxide. With climate change, public infrastructure needs will be faced directly by communities near sea level and indirectly by Montgomery County taxpayers who will end up paying to protect low lying areas in Maryland from rising sea levels.

The Subdivision Staging Policy needs to include an analysis of and consider greenhouse gas emissions. The analysis cannot be based simply on an assumption that mass transportation would be better than cars, because mass transportation is very limited. Funding has not been adequate for Metro, and money has not been available for a truly substantial expansion of other mass transit, except the Purple Line. It cannot be assumed that substantial mass transit will be added in the future.

Public Hearing Draft Recommendations

Transportation

The Public Hearing draft recommends the organization of the County Policy Areas into four (4) key categories (1) Core: Down County Central Business Districts and Metro Station Policy Areas characterized by high-density development and the availability of premium transit service (i.e., Metrorail/MARC), (2) Corridor: Emerging Transit-Oriented Development (TOD) areas where premium transit service (i.e., Corridor Cities Transitway, Purple Line/Bus Rapid Transit) is planned, (3) Wedge: The low-density residential areas of the County and (4) Rural: The County's agricultural and rural wedge.

A color coded map displays the county, coded into the four policy areas (plus Clarksburg). Page 28. In general, CCCFH communities are in a “Corridor” area, a very large area designated number 3, colored tan, on the map. Based on the Public Hearing draft, Corridor areas are areas where premium transit service is planned. However, it is at best misleading and in our view erroneous to state that “premium transit service” is “planned” in our part of area 3. Any notion that we will see premium transit service that many in CCCFH communities can use in the near and foreseeable future is wholly unrealistic. To try to count such service within some realm of transit accessibility by using the word planned provides a false appearance. Our area is largely dependent on cars for transportation. The vast majority of the residents in our communities are well over a half mile from a Metro station and much further from the planned Purple line. Bus service is very limited and generally does not go where residents need to go.

The Proposed Policy Area Based Transportation Test

The draft policy recommends scuttling the current Policy Area transportation test (TPAR), and in its place adopting a new transportation adequacy test based on transit accessibility (defined as the number of jobs that can be reached within a 60-minute travel time by walk-access transit). The proposed definition of Policy Area adequacy is based on the proportion of transit accessibility that can be achieved within the next 10 years based on changes in land use and the implementation of transportation facilities within this timeframe. It is the estimated share of the Master Plan vision, reflecting a 25-year (master) planning horizon, attainable within the next 10 years. According to the Public Hearing draft, the degree of transit accessibility is highly correlated to proximity to the Washington, DC core, where the number and density of jobs are the greatest. The recommended proposed measure of accessibility is not total transit accessibility, but rather the degree to which the planned increase in transit accessibility is proceeding at an acceptable pace.

In the draft’s view, this new Policy Area test would address concerns that the current process is too auto-centric. It says it combines a context-sensitive measure of accessibility with a simple objective of tracking whether or not each Policy Area is on pace to achieve long range objectives for better transit services.

CCCFH opposes this proposed change in approach. Instead of a test that would quantify and project real world traffic, which is what people have to deal with and what drivers care most about (as noted in the Public Hearing draft SSP, the metric of percentage of free flow speed attainable in the peak travel direction during the evening peak period with the results weighted by vehicle miles of travel is a close approximation of what drivers care the most about - travel speed - now and in the future. p. 16) the Public Hearing draft would, in the face of deteriorated traffic conditions, change the subject. There would to a public transportation test that does not address the problem we face, except tangentially and in limited circumstances at that. The proposed test is not objective. What satisfies transit accessibility, a Ride-On bus every hour? Every half hour? That is inadequate. How far would a person have to walk to a bus? And where would the bus go, compared to where the person actually needs to go? How is “can be achieved” (p. 29) determined, with what facts and realistic assumptions on funding? How is “on pace” (p. 29) determined? The proposed test is subjective and amorphous. The proposed test is

not a real transportation test. It is an evasion of governmental responsibility to people who have to go to work, a doctor or other necessary places and are delayed and stuck in traffic.

We also object to the draft Subdivision Staging Policy's notion of "planned" in transit accessibility, which is better only than pure fiction. The presence of something in a plan does not mean that that something will happen, particularly a transportation project that is years away and unfunded. There are big differences between in existence, funded plans coming into fruition in reasonably near term time frames, and what amounts to aspirational plans on moderate to long planning horizons. An example of a project that should not be counted is the unfunded Corridor Cities Transit Way. But see pp. 29 – 30. Even some out year CIP projects are far from reasonably sure projects. The current traffic problems, which are getting worse, need to be addressed in traffic terms now while the future is being planned. Development, supported by a hope of future infrastructure improvements in a plan, should not occur.

CCCFH communities are relatively close to Washington DC and support Metro, although the vast majority of residents in our communities do not live within a half mile of a Metro station. Ride-On buses are a very limited resource in getting to where we need to go. Many of us have lived here a long time and have not seen meaningful improvements in mass transit that would get us where we need to go. Cars are the necessary means of transportation and, in light of the inadequate improvements in infrastructure, congestion has gotten worse. The planners who are anti-car (although they could be right in a different locale) do not seem to understand that public transit does not go many necessary places and is limited, and that travel by car is necessary.

The 60 minute time frame in transit accessibility in the draft plan (defined as the number of jobs that can be reached within a 60-minute travel time by walk-access transit, p. 29) is unacceptable. If someone works 40 hours a week with one additional hour for lunch and adds two one-hour commutes, that amounts to 11 hours away from home. The Public Hearing draft amounts to an anti-family policy as applied at least to families with children.

Close-in communities such as those in CCCFH apparently could more readily satisfy the proposed transit accessibility test than communities further from Washington, DC. As a practical matter, the 60-minute time frame would thus call for development in close in to Washington communities, as distinguished from those over 60 minutes from Washington as employed in the draft policy. We are already facing huge amounts of development in our area. It is highly problematic that close-in areas would be targeted for more development -- a consequence of the draft policy.

There is no indication that the new test in the Public Hearing draft has been applied elsewhere. It would be an experiment, with real and significant consequences. To make matters worse, it does not appear that there are sets of examples applying the proposed transit accessibility concept to communities in our area and to areas we need to go to, for work, food, doctors, exercise, social activities, and more. Such examples would highlight potential development under the draft policy and the consequences - workings or most likely failings - of the proposed test.

The Public Hearing draft also proposes that the Policy Area transit accessibility test not be applied in "Core" areas. While we understand the existing test, this exemption ignores the fact

that the traffic in the Core area some of our communities adjoin – Bethesda – is a lengthy traffic jam in the evening rush hour. In light of this reality, we do not agree that the solution to traffic is to throw up the hands of regulators and just let development go in Core areas.

As explained in the draft, Planning staff would move from a traffic study screening tool based solely on vehicle trips to one that looks at the person trips broken down by transportation modes – vehicle, transit, pedestrian - associated with new development. Staff recommends replacing the current 30 peak hour vehicle trip threshold for an LATR study with new person-trip thresholds. Applicants may propose methods to shift vehicle trips to other modes to manage travel demand and reduce traffic impacts by methods that involve reduced parking. This invites made-up characterizations by developers to get a preferred deal from the Planning Department. What hard data will be required and certified? Also, building tenants and employees change significantly over time. In any event, there are many factors that affect driving and parking, including where individuals live and work and otherwise go, the availability of good public transit with frequent service and few transfers from the start to the end of the trip, and the strong economic forces of steep parking costs (as in New York City and to some degree downtown Washington, DC) and substantial transit benefits such as the Federal Government has. We do not see those here.

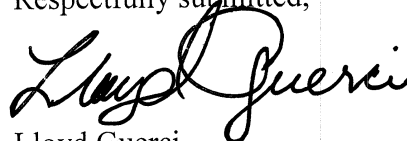
Limiting parking could have negative social implications. There are many seniors in our communities. They cannot ride bikes or walk to get food or run other errands. They need to drive to a place where they can park a car.

The Public Hearing draft proposes upgrading CLV. Page 37. We agree that improvements to existing tests are necessary. Again we are concerned that Core areas regularly are gridlocked by traffic in rush hour and an exemption is problematic. There is no reason to believe that public sector monitoring will work. Also, there is no mitigation payment for these areas – often among the worst areas, other than I-270 and the 495 beltway.

Transportation impact test

The Public Hearing draft discusses taxes/fees. At a session on “Infrastructure and Growth: Are We Keeping Pace” hoisted by Councilmember Roger Berliner on March 7, 2015, a County Council staff person said, as to transportation, we need lots of money. High density development projects will put more cars on the road in smaller areas. Developers should be required for infrastructure needs associated with their projects. The government needs to solve the problem. Spending needs to increase. Fees on developers need to go up to cover costs.

Respectfully submitted,



Lloyd Guerci
Chair
Citizens Coordinating Committee on
Friendship Heights