



**MONTGOMERY COUNTY DEPARTMENT OF PARKS**  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MCPB Agenda Item 3  
January 16, 2020

**MEMORANDUM**

**Date:** January 9, 2020

**TO:** Montgomery County Planning Board

**VIA:** Michael F. Riley, Director, Department of Parks *MR*  
Miti Figueredo, Deputy Director, Administration *mf*  
John Nissel, Deputy Director, Operations  
Andrew Frank, Chief, Park Development Division *RAF*

**FROM:** Carl Morgan, CIP Manager, Park Development Division *CM*  
Brenda Sandberg, Real Estate Manager, Park Development Division *BS*

**SUBJECT:** Amendment to the FY21-26 Capital Improvements Program: Legacy Urban Space

---

**Staff Recommendation**

Transmit the attached materials to the Montgomery County Executive and Montgomery County Council to amend the Department of Parks FY21-26 Capital Improvements Program previously submitted on November 1, 2019, as follows:

- Add new acquisition capital project named **Legacy Urban Space**
- Fund the Legacy Urban Space capital project in a revenue-neutral manner by transferring Program Open Space (POS) appropriations from Acquisition: Local Parks (767828) and Acquisition: Non-Local Parks (998798)

**Background**

A new paradigm for urban parks has been in development for the past two decades that envisions more urban open spaces and parks of many types in our most densely developing communities. The newest *Park Recreation and Open Space Plan (2017)* describes new goals and a revised typology for urban parks. The *Energized Public Spaces Functional Master Plan (2018)* created a new methodology for measuring the level of service for parks and open spaces and an approach to equitably meeting the park and open space needs of our most populated communities. The Energized Public Spaces (EPS) methodology provides data driven analysis that measures and prioritizes the park amenities needed to support contemplative, active recreation, and social gathering activities. The EPS Plan uses multiple strategies to fill identified public space deficits such as park activation programs, alternative providers, public-private

partnerships, repurposing and improving access to existing public parkland, and acquisition of new parkland. This renewed focus on urban parks -- and the new types and preferred locations for urban park amenities throughout the developed corridors of the County -- results in a strong need for acquisition of additional parkland throughout the EPS Study Area.

### **Current Acquisition CIP**

The parkland acquisition program is funded by five capital projects that use a variety of funding sources to implement the policy goals adopted in studies, area master plans, and functional master plans. The three capital projects relevant to this recommendation are the following:

#### *Legacy Open Space*

The Legacy Open Space (LOS) program was created to implement the *Legacy Open Space Functional Master Plan* (2001) with the overall goal of preserving the best remaining open spaces in a variety of categories across the county through a \$100 million funding commitment. The program uses several tools to protect open space including land acquisition and has successfully added over 3,600 acres of open space to the park system, ranging from key natural resources and water supply protection sites to heritage and urban open space resources.

So far, the LOS program has acquired 14 acres of scarce open land in urban areas, and several new urban park opportunities have been designated as LOS Urban Open Spaces via recent sector and master plans. The LOS capital project uses County Bonds and Commission Bonds to acquire parkland.

#### *Acquisition: Non-Local Parks*

The project description form (PDF) for the Non-Local Park Acquisition capital project provides appropriation for acquisition of countywide parks, including regional, recreational, special, stream valley and conservation parks. This capital project has also been used for acquisition of Countywide Urban Parks as defined in the 2017 PROS Plan, including Civic Greens, Countywide Urban Recreational Parks, Urban Greenways, and Plazas. The capital project provides latitude to acquire properties consistent with master plans and Commission policies as properties become available or are required to meet immediate needs. Acquisitions are funded with State Program Open Space grants in this PDF.

#### *Acquisition: Local Parks*

The Local Park Acquisition PDF identifies capital expenditures and appropriations for community use parkland acquisitions. Community Use Parks include neighborhood, local, and neighborhood conservation parks. To implement the new paradigm for urban parks in the 2017 PROS Plan, this capital project is also used for acquisition of Community Use Urban Parks, including Neighborhood Greens, Urban Recreational Parklets and Pocket Greens. Acquisitions are funded with State Program Open Space grants in this capital project.

## Legacy Urban Space PDF

The proposed Legacy Urban Space capital project provides the funding to acquire parkland to fill needs identified in the EPS Study Area based on adopted policies, plans, and analysis using the EPS methodology. Specific acquisition projects will be prioritized based on multiple factors, including providing service to lower income and racially diverse areas, addressing the largest public space deficits, seizing on opportunity acquisitions, and locations of highest population growth and associated park needs.

The Legacy Urban Space capital project will be funded with existing State of Maryland Program Open Space (POS) grants. POS appropriations will be transferred from the Local and Non-Local Acquisition PDFs starting in FY21, so this proposal is revenue-neutral and does not affect SAG or other funding constraints in this CIP Cycle. Over the next two years, options for consolidating or simplifying the Local and Non-Local PDFs will be considered and may be presented in the next two-year CIP cycle.

The benefits of creating a new acquisition capital project titled Legacy Urban Space include:

- 1) Consolidating most POS funding into one capital project from the Local and Non-Local Acquisition projects;
- 2) Clearly identifying that the acquisition program is aligned with the new urban parks paradigm as developed over the past decade; and
- 3) Creating a capital project designed to implement the recommendations of the *Energized Public Spaces Functional Master Plan*, and to create additional parks in the most densely populated areas of the County (the EPS Study Area);

Naming this new project **Legacy Urban Space** also provides the symmetry of indicating the parallel and complementary purposes of this project to the twenty-year-old Legacy Open Space project.

Staff recommends approval of this amendment to the proposed FY21-26 CIP and seeks approval from the Board to transmit the attached information to the County Executive and County Council for consideration during the CIP approval process. If the Planning Board approves of this amendment, it will be delivered to the County in time to be included in public hearings on the County Executive's proposed CIP in early February and be considered during Council work sessions in February and March.

### Attachments:

- Legacy Urban Space PDF (new)
- Acquisition: Non-Local Parks PDF (revised)
- Acquisition: Local Parks PDF (revised)



# Legacy Urban Space (NEW)

<b>Category</b>	M-NCPPC	<b>Date Last Modified</b>	12/16/2019 DRAFT 01/06/2020
<b>SubCategory</b>	Acquisition	<b>Administering Agency</b>	M-NCPPC
<b>Planning Area</b>	Countywide	<b>Status</b>	Ongoing

	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years	
<b>EXPENDITURE SCHEDULE (\$000s)</b>												
Land	18,000	0	0	18,000	3,000	3,000	3,000	3,000	3,000	3,000	0	
Other	0	0	0	0	0	0	0	0	0	0	0	
<b>TOTAL EXPENDITURES</b>	<b>18,000</b>	<b>0</b>	<b>0</b>	<b>18,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>0</b>	

	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years	
<b>FUNDING SCHEDULE (\$000s)</b>												
Program Open Space	18,000	0	0	18,000	3,000	3,000	3,000	3,000	3,000	3,000	0	
<b>TOTAL FUNDING SOURCES</b>	<b>18,000</b>	<b>0</b>	<b>0</b>	<b>18,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>3,000</b>	<b>0</b>	

<b>APPROPRIATION AND EXPENDITURE DATA (\$000s)</b>			
Appropriation FY 21 Request	3,000	Year First Appropriation	FY21
Appropriation FY 22 Request	3,000	Last FY's Cost Estimate	0
Cumulative Appropriation	0		
Expenditure / Encumbrances	0		
Unencumbered Balance	0		

## PROJECT DESCRIPTION

The Energized Public Spaces Functional Master Plan (EPS Plan) is a countywide plan to provide public spaces within walking distance in the county's most densely populated areas. With rising populations in mixed use and higher density residential neighborhoods, parks and open space serve as "outdoor living rooms" that play a critical role in promoting livable and healthy communities, social interaction, and equity for residents of all ages and incomes. The EPS methodology provides data driven analysis that measures and prioritizes the park amenities needed to support contemplative, active recreation, and social gathering activities. The EPS Plan identifies multiple strategies to fill identified public space deficits with park activation programs, alternative providers, public-private partnerships, repurposing and improving access to existing public parkland, and acquisition of new parkland.

This PDF provides the funding to acquire parkland to fill needs identified in the EPS Study Area using State of Maryland Program Open Space grants. Acquisitions will be prioritized based on multiple factors, including providing service to lower income and racially diverse areas, addressing the largest public space deficits, seizing on opportunity acquisitions, and locations of highest population growth and associated park needs. Sites within the EPS Study Area that are identified for park acquisition in other sector, master or functional plans also may be acquired with this PDF. The County Council encourages the Commission to seek supplemental appropriations if approved CIP funding is insufficient.

## COST CHANGE

New CIP Project (No change).

## PROJECT JUSTIFICATION

Designing Public Spaces – Energized Public Spaces Design Guidelines, 2019  
 Energized Public Spaces Functional Master Plan, 2018  
 2017 Park, Recreation and Open Space (PROS) Plan, 2017  
 Vision 2030 Strategic Plan for Parks and Recreation, 2011  
 Legacy Open Space Functional Master Plan, 2001

## FISCAL NOTE

New CIP Project.

## DISCLOSURES

Expenditures will continue indefinitely. M-NCPPC (A13) asserts that this project conforms to the requirements of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

## COORDINATION

Acquisition: Local Parks 767828, Acquisition: Non-Local Parks 998798, ALARF: M-NCPPC 727007, Bethesda Park Impact Payment 872002, Legacy Open Space 018710, Urban Parks Elements 871540, State of Maryland



# Acquisition: Local Parks (P767828)

Category	M-NCPPC	Date Last Modified	09/24/19	DRAFT 01/06/2020
SubCategory	Acquisition	Administering Agency	M-NCPPC	
Planning Area	Countywide	Status	Ongoing	

	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
<b>EXPENDITURE SCHEDULE (\$000s)</b>											
Planning, Design and Supervision	1,011	311	100	600	100	100	100	100	100	100	-
Land	9680	18,680	4,325	2,205	3150	12,150	525	2,025	525	2,025	525
Other	278	103	25	150	25	25	25	25	25	25	-
<b>TOTAL EXPENDITURES</b>	<b>19,969</b>	<b>4,739</b>	<b>2,330</b>	<b>12,900</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	-
	<b>10,969</b>			<b>3900</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	

	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
<b>FUNDING SCHEDULE (\$000s)</b>											
Land Sale (M-NCPPC Only)	513	513	-	-	-	-	-	-	-	-	-
M-NCPPC Bonds	1,329	279	150	900	150	150	150	150	150	150	-
Program Open Space	9127	18,127	3,947	2,180	3000	12,000	500	2,000	500	2,000	500
<b>TOTAL FUNDING SOURCES</b>	<b>19,969</b>	<b>4,739</b>	<b>2,330</b>	<b>12,900</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	<b>2,150</b>	-
	<b>10,969</b>			<b>3900</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	<b>650</b>	

<b>APPROPRIATION AND EXPENDITURE DATA (\$000s)</b>											
Appropriation FY 21 Request			2,460	650	Year First Appropriation						
Appropriation FY 22 Request			2,150		Last FY's Cost Estimate						
Cumulative Appropriation			7,069		19,459						
Expenditure / Encumbrances			4,739								
Unencumbered Balance			2,330								

## PROJECT DESCRIPTION

This project funds parkland acquisitions that serve county residents on a neighborhood or community basis. The acquisitions funded under this project include local, neighborhood, neighborhood conservation area, and community-use urban parks. This project also includes funds for land surveys, appraisals, settlement expenses, site restoration, and other related acquisition costs. Acquisitions can include new parkland or additions to existing parks, and are pursued when they become available, if sufficient funds exist. To the extent possible, the Commission acquires parkland through dedication at the time of subdivision; however, to meet all parkland needs, this method must be supplemented by a direct land purchase program.

## COST CHANGE

~~Increase due to the addition of two fiscal years to this ongoing project.~~ Decrease attributed to transferring \$1,500 per year of program open space to the Legacy Urban Space PDF

## PROJECT JUSTIFICATION

2017 Park, Recreation, and Open Space (PROS) Plan, approved by the Montgomery County Planning Board, other adopted area master plans, and functional master plans guide the local parkland acquisition program. This PDF provides latitude to acquire properties consistent with master plans and Commission policies.

## OTHER

Project includes one-time costs to secure properties, e.g. removing attractive nuisances, posting properties, cleaning up sites, etc.

## FISCAL NOTE

FY19 Special Appr. of \$117k Program Open Space reflecting actual revenues from the State. Prior year partial capitalization of expenditures through FY16 totaled \$25,963,000. FY13 Supplemental Appr. of \$600k in Program Open Space. FY12 Supplemental Appr. of \$1.059m Land Sale Proceeds.

## DISCLOSURES

Expenditures will continue indefinitely. M-NCPPC asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

## COORDINATION

Acquisition: Non-Local PDF 998798, Legacy Open Space PDF 018710, ALARF: M-NCPPC PDF 727007, Bethesda Park Impact Payment PDF 872002



# Acquisition: Non-Local Parks (P998798)

Category	M-NCPPC	Date Last Modified	09/24/19 DRAFT 01/06/2020
SubCategory	Acquisition	Administering Agency	M-NCPPC
Planning Area	Countywide	Status	Ongoing

	Total	Thru FY19	Est FY20	Total 6 Years	FY 21	FY 22	FY 23	FY 24	FY 25	FY 26	Beyond 6 Years
<b>EXPENDITURE SCHEDULE (\$000s)</b>											
Planning, Design and Supervision	2,322	922	200	1,200	200	200	200	200	200	200	-
Land	19,583	23,123	8,888	10,695	3,300	12,300	550	2,050	550	2,050	-
<b>TOTAL EXPENDITURES</b>	<b>25,445</b>	<b>9,810</b>	<b>2,135</b>	<b>13,500</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>-</b>
	25,205		10,895	4500	750	750	750	750	750	750	

<b>FUNDING SCHEDULE (\$000s)</b>											
<b>G.O. Bonds (WMATA Supplemental)</b>	<b>0</b>	<b>0</b>	<b>8760</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Contributions	353	353	-	-	-	-	-	-	-	-	-
Current Revenue: General	2,118	483	135	1,500	250	250	250	250	250	250	-
Program Open Space	14,874	22,974	8,974	2,000	3,000	12,000	500	2,000	500	2,000	-
<b>TOTAL FUNDING SOURCES</b>	<b>25,445</b>	<b>9,810</b>	<b>2,135</b>	<b>13,500</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>2,250</b>	<b>-</b>
	25,205		10,895	4500	750	750	750	750	750	750	

<b>APPROPRIATION AND EXPENDITURE DATA (\$000s)</b>				
Appropriation FY 21 Request	2,250	750	Year First Appropriation	FY99
Appropriation FY 22 Request	2,250		Last FY's Cost Estimate	20,945
Cumulative Appropriation	11,945			
Expenditure / Encumbrances	9,811			
Unencumbered Balance	2,134			

## PROJECT DESCRIPTION

This project funds non-local parkland acquisitions that serve county residents on a regional or countywide basis. Non-local parks include Regional, Recreational, Conservation, Stream Valley, Special, and Historic Parks, and Urban Parks of county-wide significance. This project also includes funds for land surveys, appraisals, settlement expenses, site restoration, and other related acquisition costs. Acquisitions can include new parkland or additions to existing parks and are pursued when they become available if sufficient funds exist. To the extent possible, the commission acquires parkland through dedication at the time of subdivision; however, to meet all parkland needs, this method must be supplemented by a direct land purchase program.

## COST CHANGE

Increase due to the addition of two fiscal years to this ongoing project.

Decrease attributed to transferring \$1,500 per year of program open space to the Legacy Urban Space PDF. Also, FY20 amendment and transfer of \$6.8 million in GO Bond appropriation from Legacy Open Space (P018710); and increasing appropriation by \$1.96 million in GO Bond funding.

## PROJECT JUSTIFICATION

2017 Park, Recreation and Open Space (PROS) Plan, approved by the Montgomery County Planning Board, area master plans, and functional master plans guide the non-local park acquisition program. This PDF provides latitude to acquire properties consistent with master plans and Commission policies.

## OTHER

Project includes onetime costs to secure properties, e.g. removing attractive nuisances, posting properties, site clean-up, etc.

## FISCAL NOTE

FY19 Supplemental Appr. of \$2.85m Program Open Space (POS) and Contributions (concurrent FY20 reduction in \$2.5m in POS from Acq: LP P767828). Prior year partial capitalization of expenditures through FY16 totaled \$40,009,000. FY14 Supplemental Appr. of \$1.706m POS. FY13 Supplemental Appr. of \$320K POS.

## DISCLOSURES

Expenditures will continue indefinitely. M-NCPPC asserts that this project conforms to the requirement of relevant local plans, as required by the Maryland Economic Growth, Resource Protection and Planning Act.

## COORDINATION

Acquisition: Local PDF 767828, Legacy Open Space PDF 018710, ALARF PDF 727007, Bethesda Park Impact Payment PDF 872002

