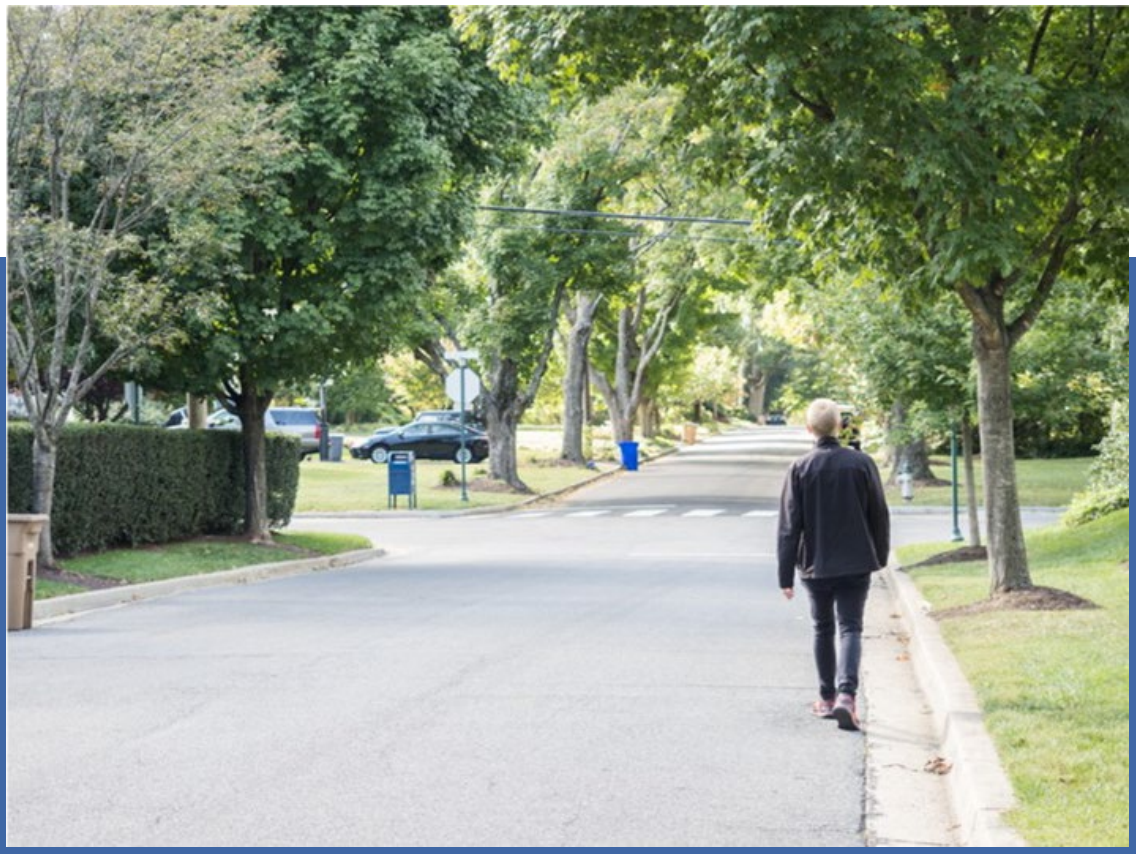
Montgomery Planning

COUNTY BILL 51-26: STREETS AND ROADS – PUBLIC HEARING REQUIREMENTS – AMENDMENTS



Description

Councilmembers have introduced legislation to streamline the community engagement process for a category of MCDOT-led sidewalk construction projects.

COMPLETED: 10/22/2026
PLANNING BOARD HEARING DATE: 11/5/2026
MCPB ITEM NO. 08

Montgomery County Planning Board
2425 Reedie Drive, Floor 14 Wheaton MD 20902
Montgomeryplanning.org

Planning Staff

EG	Eli Glazier, Transportation Planner IV eli.glazier@montgomeryplanning.org, 301-495-4548
RAR	Alex Rixey, Multimodal Transportation Planning Supervisor Alex.Rixey@montgomeryplanning.org, 301-495-4512
DA	David Anspacher, Chief, Transportation Planning Division david.anspacher@montgomeryplanning.org, 301-495-2191

LOCATION

Countywide

MASTER PLAN

2023 *Pedestrian Master Plan*

Summary:

- Draft legislation modifies public hearing requirements for certain sidewalk projects
- Legislation supports implementation of the 2023 *Pedestrian Master Plan*
- Staff recommends transmittal of a Letter of Support to the County Council

CONTENTS

SECTION 1 – SUMMARY 3

SECTION 2 – CONCLUSION 4

ATTACHMENTS 4

SECTION 1 – SUMMARY

Bill 51-26 was introduced by Councilmember Evan Glass on October 20, 2026. Initially, Glass was the sole sponsor, but the entire Montgomery County Council requested to be added as cosponsors upon introduction.

If passed, the legislation would reduce the administrative public hearing requirement for sidewalk and paths, while retaining a community support mechanism.

Today, a public hearing for a sidewalk or shared use path project may be waived if all of the following conditions are met:

1) It can be constructed entirely within one or more existing public rights-of-way without detailed engineering design;
2)
    a. a civic association, homeowner's association, or other organization, which includes a substantial number of owners of property located on the proposed route of the sidewalk or path, has filed a notice of its support for the sidewalk or path with the Executive or a designee; or
    b. if no such organization has filed a notice of support, a petition signed by a majority of owners of property located on the proposed route of the sidewalk or path has been filed with the Executive or a designee; and
3) the Executive finds, after the Executive's designee has given notice to and met with residents of the area, that no significant controversy has arisen that would require a public hearing to be held.

The proposed legislation would do the following:

- Remove the notice of support requirement in 2(a) above and replace it with a determination whether the sidewalk project would impact private property, defined as:
    a. Requiring the use or acquisition of private property,
    b. Materially impairing access to private property; or
    c. Imposing a special assessment on the affected property owner
- Lower the number of affected property owners required to sign a petition in 2(b) from "a majority" to "at least 25%".

Taken together, the proposed amendments will allow basic sidewalks and pathways to be constructed in the public right-of-way as quickly as possible if they are constructed entirely within the existing public right-of-way, do not require detailed engineering, and do not require acquisition of private property or create permanent impacts to private property. Property owners would still be contacted and engaged by MCDOT as projects move forward. That process provides opportunities to discuss site-

specific concerns and potential design refinements, such as adjusting sidewalk alignment to avoid mature trees, minimize impacts to on-street parking, or address other local conditions.

Building out a connected network of sidewalks is essential to creating the walkable communities envisioned in *Thrive Montgomery 2050*. The proposed legislation will improve connectivity, accessibility, and safety—advancing the county's Vision Zero goals and implementing the 2023 *Pedestrian Master Plan*.

Specifically, the proposed legislation will support *Pedestrian Master Plan* Key Action B-1b: Reimagine public engagement for sidewalk construction to ensure that community members can share valuable local perspectives while pedestrian safety and connectivity improvements are not delayed.

SECTION 2 – CONCLUSION

Planning Staff recommend transmitting a letter of support for this legislation to the County Council.

ATTACHMENTS

Attachment A: County Council Legislation Memo