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MEMORANDUM

From — Land Conservation & Stewardship Board
To — City Council
Through — Tessa Greeger, Bike Program Manager
Subject— E-bikes and Natural Areas
Date November 14, 2018

The Land Conservation and Stewardship Board *with one significant reservation* supports plans developed by the Bike Program and the Bicycle Advisory Committee to conduct a pilot program to evaluate electric-assist bicycle (e-bike) use on Fort Collins trails.

Our reservation is that Class 2 e-bikes, which provide power without regard to rider pedaling, are motor vehicles. There is a long standing and uncontroversial exclusion of motor vehicles from Natural Areas. In our opinion these machines bring a level of mechanization to Natural Areas that interferes with preservation of their natural conditions. Increased mechanization cannot improve ecological conditions or user experience, and quite likely harms them.

We encourage the pilot program, later rule making, and evolving bike infrastructure to embrace a model of nonuniform e-bike use. Specifically, the City's bike system should evolve in ways that allow for e-bikes to be excluded from areas where there are conflicts among trail users or with trail surroundings, as is the case in Natural Areas. Early recognition of limitations on e-bike use will help in planning and implementing alternate routes, signage, and other aspects of bike route design.

We earlier wrote to the Bicycle Advisory Committee and the Transportation Board with more expansive explanation for our reservations. Those earlier communications are attached.

MINUTES

CITY OF FORT COLLINS • BOARDS AND COMMISSIONS



Land Conservation & Stewardship Board

Regular Meeting

October 24, 2018

1. CALL TO ORDER

5:30 p.m.

2. ROLL CALL

Edward Reifsnnyder, Vicky McLane, Joseph Piesman, Andrea Elson, Kelly Ohlson, Marcia Patton-Mallory, Raymond Watts

Excused: David Tweedale, Mike Weber

3. AGENDA REVIEW

Marcia will provide an update on the BAC at the end of the meeting. Daylan will provide an update on Meadow Springs and Mark will report on land acquisitions during executive session.

Daylan shared details on the Annual Regional Boards and Commissions meeting scheduled for November. The meeting will be held at the Larimer County Courthouse on November 14th. He will send the agenda out to board members over the next week.

4. CITIZEN PARTICIPATION

Public Attendees: Cole Kramer, Jackie Labelle, CSU Student

5. APPROVAL OF MINUTES

Members had one date change in the agenda review paragraph of the September minutes. Second sentence should reflect the date of November 27th and not October 27th.

Raymond Watts made a motion to approve the amended September LCSB meeting minutes.

Marcia Patton-Mallory seconded the motion

The Motion was approved 7-0

6. COMMUNICATION AND BOARD MATTERS

Kelly announced he would like the opportunity to further discuss the northeast Montava Development with individual board members or NAD staff. He is strongly opposed to the project and would like the Board to take a closer look at the project. He feels it's an inappropriate way of spending NAD funds and reported that the Montava Development is receiving an additional \$150 to \$250 million dollars of property tax through the Metro

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District. He is opposed to using any NAD funds for the project and would like the same support from the Board. He asked if further discussion, information or status could happen to further flush out his concerns.

The Montava project will be added as a discussion item in 2019.

7. NEW BUSINESS

ACTION ITEM

Proposed E-bike Pilot Program, Tessa Greeger, Manager, FC Moves reviewed the current Fort Collins code regulating e-bikes in the city. The current code reads that all persons are prohibited from riding electrical assisted bicycles while the motor is engaged on a bike or pedestrian path or on a recreation trail unless otherwise authorized by the City Code (ADA regulations). State Legislation in 2017 established Class I and Class II E-bikes can be on trails in most Colorado jurisdictions. Fort Collins has typically not allowed Class I or Class II on paved trails unless ADA approved. Tessa explained some of the trends and research that has taken place over the last few years describing motivators for purchasing e-bikes, trends throughout the U.S. and local context. As follow up to the 2017 Legislation, the Bicycle Advisory Committee (BAC) is proposing a one-year pilot program allowing Class I and Class II e-bikes on paved trails to determine whether to continue the pilot, let the pilot expire or permanently allow e-bikes on paved trails. Tessa and other FC Moves staff are presenting information to city boards seeking formal support. The BAC is asking staff to help determine the appropriate trails and duration for this pilot study, assist in the implementation of a comprehensive evaluation, develop an education plan that includes public outreach and review City guidelines to determine if current rules need changes. The Transportation Board has endorsed the pilot but has yet to send a recommendation to City Council. Tessa described the specifics of the pilot, potential partners and estimated cost for the pilot.

Tessa requested a motion to support the pilot study.

DISCUSSION:

Joe inquired about other boards and where they stand on the issue. Tessa reported that the Transportation Board, as well as the Natural Resource Advisory Board are in support of the pilot. Those memos will then be sent to Tessa to send on to City Council with her report.

Daylan clarified that current the natural areas only allows motorized e-bikes on paved trails in compliance with ADA.

Vicky is very much against this pilot. She feels that any motorized vehicle should be subject to all Colorado Motor Vehicle rules and regulations, for example registration and license.

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Differentiating between Class II e-bike and other motorized vehicles would be hard to enforce and determine.

Marcia felt that there could be a few trails that might be appropriate for the pilot, that could facilitate commuting, like the South Mason Trail, or the Power Trail. The Spring Creek Trail has limited site lines and could potentially be dangerous. Marcia feels enforcement will be a top issue.

Kelly thought it would be a good idea to not get hung up on enforcement and focus on good policy. Kelly will support Class I but not Class II and feels we should be very specific on which trails will be used for the pilot.

Ray recommended a strong signage/education campaign as part of the pilot program.

Joe asked why Tessa decided to include all paved trails in the pilot versus specific trails. She indicated the decision was made by the internal staff team. Regulatory issues were taken into consideration and that limiting trails might limit the study design and how the public views e-bikes on all types of paved trails.

Andrea was concerned about enforcement and how motorized vehicles might be confused with other vehicles, such as golf carts, or electric long boards, etc. Enforcing Class I and II might be difficult.

Marcia felt motorized e-bikes might limit the overall natural area user experience.

Kelly suggested including the language "the pilot will determine which trails it would work for and which trails it wouldn't". He also will not include Class II in his recommendation for the pilot.

Joe suggested sending the LCSB's white paper along with a memo supporting the pilot program.

Ray made a motion that the LCSB send a memo through Tessa expressing support for a pilot program study of Class I e-bike use on Fort Collins paved trails, and expressing opposition to study of class 2 use, giving reasons for our distinction between treatment of the two classes. Our memo should also express the need for thoughtfully prohibiting all e-bikes on certain trail segments if pilot study data suggest that there are conflict, safety, or other issues on those segments.

Marcia seconded the motion

The motion was approved 6-1

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Vicky McLane Opposed

The Board was overall supportive of the pilot program but felt that including Class II e-bikes would open the door for other motorized vehicles such as golf carts, motorized long boards, etc. The Board also agreed that some criteria be established so that when results are available that some trails be limited.

One Board member was against the pilot. She felt that allowing Class II e-bikes would send the message that other motorized vehicles would eventually be allowed on paved trails and that any type of motorized vehicle should be licensed and registered.

DISCUSSION ITEM

NISP MEMORANDUM

Ray reported that he had sent out his memorandum to all the Board members addressing NISP. He thought the memorandum did a good job of addressing issues that were not addressed in the Environmental Impact Statement. The City of Fort Collins has a Sustainability Policy that addresses social, environmental and economic results. Ray feels the memo to City Council is in line with the Policy. In September the Board voted on sending the memo. Joe asked if there were any comments, concerns or anything that may have been left out. Ideally the Board would have liked to get the memo out before October 2nd but feels the importance of the memo outweighs the deadline. Marcia would like to amend the memo to reflect and highlight natural areas that fall under the river corridor. Marcia and Ray will work together to review the memorandum and make the necessary changes.

FOOTHILLS MANAGEMENT PLAN UPDATE

- Daylan shared preliminary trail data gathered by Todd and staff. The goal of the survey is to have a baseline study concerning the number and type of trail users, and user perceptions.

EXECUTIVE SESSION

The Board went into executive session at approximately 7:45 p.m. to discuss potential land acquisitions.

8. BOARD MEMBER REPORTS

Marcia Patton-Mallory reported on the Bicycle Advisory Committee. There was some discussion about scooter rental companies coming into Fort Collins, to open business. City Council will address the issue during upcoming meetings. Secondly this summer, the City

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completed a redesign of the W. Mulberry Street corridor, which included adding a center turn lane, adding protected bike lanes and reducing travel lanes from two lanes in each direction to one lane in each direction. The protected bike lanes were completed as part of a pilot project, which includes testing different types of bike lane protection to determine the best approach for future projects. Marcia reported that comments were still being taken at <https://www.surveygizmo.com/s3/5495090/post-mulb-2>

9. OTHER BUSINESS

The Board inquired about a field trip to soapstone. Daylan indicated it would have to be a weekend. The Board agreed to send out some options for dates

10. ADJOURNMENT

The Board adjourned at 8:25 p.m.

Approved:

 _____, Chair 11/9/19 Date

_____, Secretary

Michelle Vattano



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MEMORANDUM

13 April 2018

TO — Bicycle Advisory Committee and Transportation Board
FROM — Land Conservation and Stewardship Board (LCSB)
SUBJECT — E-bike Position of the LCSB

We want our sibling Committees and Boards to understand that our position on e-bikes (statement attached) was not arrived at casually. Our concerns about e-bikes stem from the values that create, protect, and maintain our Natural Areas.

We, the people of Fort Collins, want—and have invested in—nearby places that belong more to nature than to humans. We expect these places to remain the domain of nature for our children, and for theirs. Our Natural Areas are a legacy that we intend to pass to future generations. We want to be able to enjoy these places, now and in the future. Many of us do; we find solitude, watch wildlife, and witness the changes of the hours and the seasons—all these things guided by the processes of nature rather than the agendas of humans. We have recreation trails so that we can enter these spaces, surround ourselves with nature, and temporarily distance ourselves from the artificial, the human-built.

Humans have a genetic urge to forever go farther, faster. Combined with human inventiveness, this urge leads endlessly to new ways of moving. Thus, the inventions of paved trails and electric-assisted bicycles, not to mention automobiles and the largest thing ever assembled by humans, the North American road network. These things constantly press into unprotected open spaces. The core purpose of our Natural Areas program is to maintain a few places where the invasion cannot go.

We have a dilemma: we expect and deserve, as taxpayers, access to Natural Areas. For this, recreation trails cannot go away, although they can be limited in number and well managed in placement. As population in the region increases, the presence of humans on the recreation trails will increase, and the Natural Areas will become less natural. Because of this inevitable trend, we assert that it is essential—not optional—to avoid tying recreation trail access into Natural Areas directly to the transportation network or designating trails in Natural Areas as part of the transportation network.

The Land Conservation and Stewardship Board must push back against trends that diminish naturalness. Increasing technology in Natural Areas is one such trend, and electric bicycle power is one such technology.

Our Position Statement articulates additional concerns that stem from our own use of recreational trails, on and off bicycles.

Position Statement from the Fort Collins Land Conservation and Stewardship Board March 2018

Summary

The Land Conservation and Stewardship Board has strong concerns about electric assist bicycles (e-bikes) and the growing use of the recreational trail system for non-recreational transportation, particularly on trails in Natural Areas.

The Board makes the following recommendations:

- *Fort Collins needs its own policies to govern e-bikes and non-recreational use of recreational trails; policies adopted from other cities will not address unique Fort Collins conditions*
- E-bike riding and non-recreational use of recreational trails are both increasing; *management of conflicts caused by these uses demands bicycle policy development and integrated bicycle use planning*
- *No e-bikes should be allowed on trails—paved or unpaved—in Natural Areas except as required for ADA compliance*
- Access to Natural Areas is only for recreational purposes; *motorized conveyance is contrary to preservation of natural conditions and enjoyment of nature*
- *E-bikes should be excluded from the entire recreational trail system except for limited sections where the compatibility of e-bike riding with other recreational uses can be evaluated on a pilot basis*
- *Recreation trails should not be part of the City's bike transportation design; there may be a need to develop dedicated transportation trails, but not in Natural Areas*
- For safety and other reasons, *it is prudent to proceed deliberately from restrictive rules to more lenient rules, only when more lenient rules have been successfully demonstrated in pilot projects*
- *Fluid transition between transportation and recreation bicycle routes is needed for safety, with adequate signage, marked lanes, and other improvements*
- *A strong education program is needed for e-bike riders*

Major Recommendations

- Exclude e-bikes from all trails, paved and unpaved, in Natural Areas
- Prohibit e-bikes on all parts of the recreational trail system, except...
- Designate pilot sections of the recreational trail system, not in Natural Areas, where Class I e-bikes (power assisted while pedaling, up to 20 MPH) may be ridden to test e-bike compatibility with other recreational uses

Discussion

Natural Areas have hosted paved trails from the beginning of the Natural Areas Program 25 years ago. It is for such recreational uses that paved trails have been permitted and encouraged; they have not been permitted and encouraged for transportation *per se*. These trails provide access to Natural Areas for bicycle riders and for walkers—with children in strollers, dogs on leash, and simply walking. The paved recreational trail network gives access to soft-surface trails for some users; others stay on the paved trails and enjoy the natural surroundings; these are appropriate recreational uses. Transportation riding, particularly at high speed, is a distinct and conflicting use.

Paved trails have been permitted and encouraged for recreation in Natural Areas for 25 years; they have not been permitted and encouraged for transportation *per se*.

As the City has grown, the paved trail network has gained popularity for bicycle transportation. While non-motorized transportation is generally good for the City, the Land Conservation and Stewardship Board is concerned about the impacts on Natural Areas of intensive non-recreational use of paved trails. Additionally, safety on these trails is degraded as the trails accommodate traffic across a broad range of speeds (2 mph for steady walkers, less than that for children, and 20 mph or more for bicycle riders).

E-bikes will increase the practicality and popularity of bicycle transportation and, if allowed on the paved trail system, will increase traffic density, diminish safety, and—by increasing the number of people passing through—diminish the already limited values of solitude and natural conditions in Natural Areas. Augmenting human power of bikes on unpaved trails increases the risks of damage to trails and the

Transportation use of recreational trails diminishes the already limited values of solitude and natural conditions in Natural Areas.

LCSB recommends that e-bikes be excluded from paved trails and unpaved trails in Natural Areas.

frequency of conflicts with pedestrian, equestrian, and other bicycle traffic. For these reasons, the Land Conservation and Stewardship Board recommends that e-bikes be excluded from paved recreational trails and unpaved trails in the Natural Areas, with appropriate exceptions for compliance with the

Americans with Disabilities Act (ADA).

The Board urges the City to implement an integrated approach to bicycle transportation:

- Devise ways to separate traffic traveling at different speeds; enhance speed limit signage
- Establish routes for higher speed bicycle traffic, whether electric assisted or not
- Implement signage, turn lanes, and other features that direct high speed traffic away from Natural Areas and other recreational and slow-traffic zones, and onto designated higher-speed transportation bike trails and street bicycle lanes

- Ensure fluid transitions between high speed routes and lower speed, recreational routes
- The Board encourages prototype development of integrated bicycle transportation features on paved recreational trails, suggesting the Mason Trail and the Power Trail as possible locations for pilot programs; these may also serve as test locations for Class I e-bike usage on recreational trails
- Note that recreational trails occur primarily on Parks and Natural Area lands; rangers for these Departments will bear an increasing enforcement load to enforce e-bike regulations and bicycle speed limits
- Regulations must require e-bikes to be labeled as to Class and not functionally modified

Ensure fluid transitions between high speed transportation routes and lower speed, recreational routes.

These recommendations from the Land Conservation and Stewardship Board relate to recreational trail use of e-bikes. Street use involves different values and traffic conflicts, which LCSB has not addressed. The LCSB notes, however, that higher riding speeds—on recreational trails or on roads—demand a higher level of awareness and adherence to traffic rules; for this reason, a strong educational program is a constant and growing need.

A strong educational program is a constant and growing need.