

**M E M O R A N D U M**

TO: County Council

FROM: *MFK* Michael Faden, Senior Legislative Attorney  
*GO* Glenn Orlin, Deputy Council Staff Director

SUBJECT: **Introduction:** Subdivision Regulation Amendment 06-04, Streets and Roads – Design Standards

SRA 06-04, Streets and Roads – Design Standards, sponsored by Councilmember Floreen, Council President Praisner, and Councilmember Trachtenberg, is scheduled to be introduced on December 12, 2006. A public hearing is tentatively scheduled for January 23, 2007, at 7:30 p.m., along with Bill 48-06, also scheduled to be introduced on December 12.

SRA 06-04 revises certain design standards for County streets and roads that the Planning Board uses in approving preliminary subdivision plans, consistent with similar amendments in Bill 48-06.

<u>This packet contains:</u>	<u>Circle #</u>
SRA 06-04	1
Resolution to set public hearing	10

Ordinance No. \_\_\_\_\_  
Subdivision Regulation Amend. No. 06-04  
Concerning: Streets and Roads -  
Design Standards  
Revised: 12-7-06 Draft No. 4  
Introduced: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Adopted: \_\_\_\_\_  
Effective: \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND**

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By: Councilmember Floreen and Council President Praisner

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**AN AMENDMENT** to the Subdivision Regulations to:

- (1) revise certain design standards for streets and roads; and
- (2) generally amend the subdivision regulations regarding standards for streets and roads.

By amending the following sections of the Montgomery County Code, Chapter 50:  
Sections 50-1, 50-24, and 50-26

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

OPINION

ORDINANCE

*The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following Ordinance:*



27 Commission if the subdivision is located in the Washington Suburban  
28 Sanitary District.

29 \* \* \*

30 (l) Traffic calming. The Planning Board may require any traffic calming  
31 feature, as defined in Section 49-30, as a condition of subdivision  
32 approval.

33

34 **50-26. Roads and streets — Design standards.**

35 (a) [*Minimum widths of rights-of-way.* Except in cases where the master  
36 plan of highways or other adopted street plan specifies a greater or  
37 lesser width, minimum rights-of-way shall be as follows. Wider  
38 rights-of-way may be required by the Board when necessary to handle  
39 anticipated traffic or to allow for special construction problems or  
40 traffic situations:]

<i>[Type of Road]</i>	<i>Right-of-Way Width</i>
(1) Limited access freeways and parkways	200 feet
(2) Controlled major highways with frontage roads	180 feet
(3) Major Highways and arterial divided roadways	
(a) With enclosed drainage	120 feet
(b) With open drainage	120 feet plus right-of-way required for drainage designed pursuant to road

	construction code
(4) Secondary highways, arterial roads, business district streets and industrial streets	80 feet
(5) Primary residential streets	
(a) Undivided	70 feet
(b) Divided - enclosed drainage	100 feet
(c) Divided - open drainage	100 feet plus right-of-way required for drainage designed pursuant to road construction code
(6) Secondary residential streets and rural roads	
(a) Undivided	60 feet
(b) Divided - enclosed drainage	100 feet
(c) Divided - open drainage	100 feet plus right-of-way required for drainage designed pursuant to road construction code
(7) Tertiary residential streets	Variable, see subsection (h)
(8) Mid-block crosswalks	20 feet
(9) Cul-de-sac	
(a) Stem right-of-way	60 feet

(b) Circular section minimum diameter	120 feet
(10) Drainage rights-of-way	
(a) Enclosed	10 feet plus additional 10 feet during period of original construction
(b) Open	As required by road construction code design standards
(11) Alleys	20 feet]

41 Mid block pedestrian ways and drainage rights-of-way. The  
42 minimum right-of-way is: 20 feet for a mid-block pedestrian way; and  
43 10 feet (plus an additional 10 feet during the period of original  
44 construction) for an enclosed drainage right-of-way.

45 [(b) *Grades and alignments.* Grades and alignments of platted County  
46 roads and streets must comply with the procedures and specifications  
47 of the road construction code, as administered by the Department of  
48 Public Works and Transportation and permitted by the Department of  
49 Permitting Services. The Board must establish grades and alignments  
50 of other municipal roads within the Regional District.]

51 [(c) *Half-streets.* Half-streets will not be permitted, except where  
52 dedication is for widening of an existing publicly maintained County  
53 road and the remaining half of such road to the full width of right-of-  
54 way required under the road classification is free and clear of existing  
55 buildings or other structures to required building lines and the

56 dedication or acquisition of such remainder is otherwise possible.  
57 Whenever there is an existing half-street adjacent to a tract to be  
58 subdivided, the other half of the street shall be platted and dedicated  
59 with such tract, unless otherwise determined by the Board.]

60 [(d)] (b) Culs-de-sac and [courts] hammerheads. [With approval of the] The  
61 Board[,] may approve the installation of culs-de-sac or hammerheads  
62 [may be used] when their use would produce an improved street  
63 layout [will result] because of the unusual shape, size or topography  
64 of the subdivision. [Unrestricted use of culs-de-sac shall not be  
65 permitted.] The Board must not approve any other cul-de-sac or  
66 hammerhead. A cul-de-sac or a street that would end in a  
67 hammerhead [shall] must not be longer than [five hundred (500)] 500  
68 feet, measured on its centerline, unless, [by reason] because of  
69 property shape, size, topography, large lot size, or improved street  
70 alignment, the Board [may find] approves a greater length [to be  
71 justified].

72 [(e)] (c) Intersections.

73 (1) Streets [shall] must be laid out so as to intersect as nearly as  
74 possible at right angles. [A] The Board must not approve a  
75 proposed intersection of two [(2)] new streets at an angle of less  
76 than [seventy (70)] 70 degrees [will not be acceptable].

77 (2) The Board must approve the location of intersections with  
78 [arterial highways] arterials or major highways [shall be  
79 determined by the Board] in a [manner] layout that [will  
80 discourage] discourages the movement of through traffic

81 crossing [such] the arterial or major highway. [Proposed  
82 intersection with arterial or major highways shall] Except in a  
83 Metro Station Policy Area or Town Center Policy Area, as  
84 defined in the most recent County Growth Policy, or another  
85 area expressly identified in a Council resolution, proposed  
86 intersections with an arterial or major highway must be spaced  
87 no closer together than [six hundred (600)] 600 feet.

88 (3) The corner lots at an intersection [shall] must be truncated by  
89 straight lines joining points [twenty-five (25)] 25 feet back from  
90 the theoretical property line intersection in each quadrant. In  
91 any case where more or less width is [deemed necessary to  
92 provide] needed for safe sight distance or [for] traffic  
93 channelization, the Board [shall] may specify a greater or lesser  
94 cut-off than [the normal cited above] otherwise required.  
95 [Alley intersections and] Any alley intersection or abrupt  
96 changes change in alignment [within] in a block [shall] must  
97 have the corners cut off and widened sufficiently [to permit] for  
98 safe vehicular turning.

99 [(f)] (d) *Horizontal alignment.* In [the case of] primary, [and] secondary,  
100 and tertiary residential streets and culs-de-sac, the alignment [shall]  
101 must be designed so that all deflections in horizontal alignment [will  
102 be] are accomplished through segments of circular curves properly  
103 incorporated into the design. The minimum permitted centerline radii  
104 [shall] must be [as follows]:

105 Primary streets 300 feet

106                      Secondary streets              150 feet

107                      Tertiary streets              100 feet

108                      The Board [shall] must specify greater radii when safety requires. A  
109                      tangent at least [one hundred (100)] 100 feet long [shall] must be used  
110                      between two [(2)] reverse curves, except in [cases of] a secondary or  
111                      tertiary residential [streets] street.

112                      [(g)] (e) *Street names.* [No street names shall be used which have not been  
113                      approved by the Board.] The Board must approve any street name  
114                      before it is used. The Board must not approve any street name which  
115                      is already used, or closely resembles any street name already used,  
116                      anywhere else in the County.

117                      [(h)] (f) *Tertiary streets.* [Section 49-34(f) of the County Code gives the  
118                      Planning Board the authority to determine when a tertiary street may  
119                      be used and to establish the right-of-way width.] The following  
120                      standards [will be applied] apply to any proposed tertiary [streets]  
121                      street:

122                      (1) A tertiary street may be used only if [approved by] the Planning  
123                      Board [at the time of] approves it in a preliminary subdivision  
124                      plan [approval] or site plan [approval].

125                      (2) [The standard right-of-way width of a tertiary street is fifty (50)  
126                      feet. However, an applicant may voluntarily submit to site plan  
127                      review and at that stage] In a site plan the Planning Board may  
128                      approve a [lesser width] narrower than standard tertiary street if

129 [it can be demonstrated that: (1) this lesser width] the Board  
130 finds that:

131 (A) a narrower street is environmentally [better, or (2) the  
132 limits on development at that site would not allow the  
133 applicant to achieve MPDUs under Chapter 25A on-site,]  
134 preferable and [this lesser width] either [(3)] improves  
135 compatibility with adjoining properties[,] or [(4)] allows  
136 better use of the parcel under consideration; or

137 (B) limits on development at that site would not allow the  
138 applicant to build the required number of MPDU's on  
139 site. [In no case shall the right-of-way be less than  
140 twenty-seven (27) feet four (4) inches for two-way traffic  
141 and twenty-one (21) feet four (4) inches for one-way  
142 traffic.]

143 [(3) Sidewalks must be provided on both sides of a tertiary street  
144 unless the Planning Board waives the requirement for one or  
145 both sides of the street, based upon a finding that pedestrians  
146 will be able to safely use the roadway.]

147 **Sec. 2. Effective date.** This ordinance takes effect 91 days after the date of  
148 Council adoption.

149 *Approved:*

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Isiah Leggett, County Executive

Date

Resolution No:  
Introduced: December 12, 2006  
Adopted:

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND  
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION  
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT  
WITHIN MONTGOMERY COUNTY, MARYLAND

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By: District Council

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Subject: Notice of Public Hearing on Subdivision Regulation Amendment 06-04

Background

1. Section 50-6A of the Montgomery County Code requires that, within thirty days of introduction of any subdivision regulation amendment, the Council act by resolution to set a date and time for public hearing on the proposed subdivision regulation amendment.
2. Subdivision Regulation Amendment 06-04 which would amend the Subdivision Regulations to revise certain design standards for streets and roads and generally amend the subdivision regulations regarding standards for streets and roads, was introduced on December 12, 2006.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution:

Legal notice will be given of the public hearing to be held on January 23, 2007 at 7:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, for the purpose of giving the public an opportunity to comment on the proposed amendment.

This is a correct copy of Council action.

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Linda M. Lauer, Clerk of the Council