

**MEMORANDUM**

TO: County Council

FROM: <sup>MF</sup> Michael Faden, Senior Legislative Attorney  
<sup>GO</sup> Glenn Orlin, Deputy Council Administrator

SUBJECT: **Introduction:** Bill 33-13, Streets and Roads – Urban Road Standards and Pedestrian Safety Improvements

Bill 33-13, Streets and Roads – Urban Road Standards and Pedestrian Safety Improvements, sponsored by Councilmember Berliner, is scheduled to be introduced on December 10, 2013. A public hearing is tentatively scheduled for January 23, 2014, at 7:30 p.m.

Bill 33-13 would limit the width of travel lanes, turning lanes, and parking lanes, as well as the size of intersection curb radii in urban areas. Curb extensions (sidewalk bulb-outs) would be required in many cases where a road in an urban area is reconstructed. The Bill also would set target speeds at which vehicles should operate in specific contexts, to provide both for mobility for motor vehicles and a safe environment for pedestrians and bicyclists.

The Bill would require certain road improvements to include a sufficient pedestrian refuge area, direct developers building road improvements to add curb ramps where appropriate, and require curb ramps to be built in accordance with federal ADA Best Practices.

This packet contains:	<u>Circle #</u>
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Bill No. 33-13  
Concerning: Streets and Roads – Urban  
Road Standards and Pedestrian  
Safety Improvements  
Revised: \_\_\_\_\_ Draft No. \_\_\_\_\_  
Introduced: December 10, 2013  
Expires: June 10, 2015  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Councilmember Berliner

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**AN ACT** to:

- (1) specify maximum standards for lane widths and curb radii on urban roads,
- (2) further define certain required certain pedestrian improvements; and
- (3) generally amend the laws governing road design and construction.

By amending

Montgomery County Code  
Chapter 49, Streets and Roads  
Sections 49-4, 49-29, 49-32, and 49-33

<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>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Sections 49-4, 49-29, 49-32, and 49-33 are amended as follows:**

2   **49-4.           Public-private participation.**

3           The County Executive, on behalf of the County, may contract with any person,  
4 who is building a real estate development or subdivision in the County, to participate  
5 in the cost of any street, sidewalk, bikeway, gutter, curb or drainage construction,  
6 landscaping, traffic control device, bikeshare station, electric vehicle charging  
7 station, or placement of utilities, conduits or amenities in a street or road dedicated to  
8 public use.

9   **49-25.           Purpose and short title.**

10          This Article is intended to guide the planning, design, and construction of  
11 transportation facilities in the public right-of-way. Each transportation facility in the  
12 County must be planned and designed to:

- 13           (a)   maximize the choice, safety, convenience, and mobility of all users,  
14           (b)   respect and maintain the particular character of the community where it  
15                is located, [and]  
16           (c)   minimize stormwater runoff and otherwise preserve the natural  
17                environment, and  
18           (d)   facilitate the future accommodation of improved transportation  
19                technology elements, such as intelligent signals, smart meters, electric  
20                vehicle charging, car- and bicycle-sharing, and way-finding systems.

21          To achieve these goals, each County road and street must be designed so that  
22 the safety and convenience of all users of the roadway system - including pedestrians,  
23 bicyclists, transit users, automobile drivers, commercial vehicles and freight haulers,  
24 and emergency service vehicles - is accommodated. Each road and street must  
25 facilitate multi-modal use and assure that all users can travel [safety] safely in the  
26 public right of way. A specified quantity of stormwater must be managed and treated  
27 on- site, in the road or street right-of-way, including through the use of vegetation-

28 based infiltration techniques. These [contest] context-sensitive policies must be  
 29 employed in all phases of publicly or privately funded facility development,  
 30 including planning, design, construction, [and] reconstruction, and streetscaping.

31 \* \* \*

32 **49-26. Definitions.**

33 \* \* \*

34 *Target Speed:* the speed at which vehicles should operate on a [throughfare]  
 35 thoroughfare in a specific context, consistent with the level of multimodal activity  
 36 generated by adjacent land uses, to provide mobility for motor vehicles and a safe  
 37 environment for pedestrians and bicyclists. [The target speed is usually the posted  
 38 speed limit.]

39 \* \* \*

40 **49-29. Pedestrian walkways, bikeways, and wheelchair traffic.**

41 \* \* \*

42 (b) To promote the safety of bicycle and wheelchair travel throughout the  
 43 County, the County Executive must [establish] adopt, by regulation,  
 44 standards and specifications to build and maintain ramps at curbed  
 45 intersections and storm water gratings and other openings along roads  
 46 and streets, in each case of a design and type that is not a hazard to  
 47 bicycle and wheelchair traffic and is consistent with Americans with  
 48 Disabilities Act best practices guidelines published by the United States  
 49 Department of Justice. These ramps, gratings, and openings must be  
 50 built and maintained as part of each project under subsection (a).

51 **49-32. Design standards for types of roads.**

52 (a) The design standards adopted under this Article govern the construction  
 53 or reconstruction of any County road except Rustic Roads and  
 54 Exceptional Rustic Roads. If the Planning Board, in approving a

55 subdivision or site plan, [determines] finds that a waiver from any  
 56 applicable design standard is necessary to promote context-sensitive  
 57 design of a specific road, the Executive or the Executive’s designee  
 58 must adopt the Board’s recommendation unless the Executive or [the]  
 59 designee [concludes that] notifies the Board why approving the waiver  
 60 would significantly impair public safety. The County Council may  
 61 adopt alternative standards for a specific road constructed or  
 62 reconstructed in a project in the approved capital improvements  
 63 program.

64 \* \* \*

- 65 (g) Each through travel or turning lane on an urban road must be no wider  
 66 than 10 feet, except a through travel or turning lane abutting an outside  
 67 curb, which must be no wider than 11 feet, including the gutter pan.  
 68 Each parking lane on an urban road must be no wider than 8 feet,  
 69 including the gutter pan.
- 70 (h) The curb radius at the corner of each intersection of urban roads must  
 71 not exceed 15 feet. Curb extensions must be provided at the ends of  
 72 each permanent parking lane except where a right-turn lane is  
 73 designated.
- 74 (i) Each pedestrian refuge must be at least 6 feet wide. A pedestrian refuge  
 75 must be provided at each intersection on a divided highway with 6 or  
 76 more through travel lanes.
- 77 (j) Unless otherwise specified in a master plan or the approved capital  
 78 improvements program, the target speeds in the table below must  
 79 govern the construction or reconstruction of any County road except  
 80 Rustic Roads and Exceptional Rustic Roads:



85 (e) If a lot or lots front on a public road, the permittee must install  
 86 sidewalks, ramps, curbs, and gutters, except on any Secondary or  
 87 Tertiary Residential Street[,] or on any Service Drive fronting on any lot  
 88 in a residential zone. This requirement does not apply if the minimum  
 89 net lot area for a one-family detached dwelling in that zone is larger  
 90 than 25,000 square feet, except that [a sidewalk must be installed] the  
 91 permittee must install sidewalks and ramps on any primary or higher  
 92 classification road. However, the Planning Board may require the  
 93 applicant to install sidewalks, ramps, curbs, and gutters in any such zone  
 94 if the Board finds, as a condition of approval of a preliminary  
 95 subdivision plan or site plan, that sidewalks, ramps, curbs, and gutters at  
 96 that location are necessary to allow access:

- 97 (1) to a sidewalk;
- 98 (2) to a bus or other public transit stop;
- 99 (3) to an amenity or public facility that will be used by occupants of  
 100 the site or subdivision; or
- 101 (4) by persons with disabilities.

102 Before the Planning Board approves any requirement under the  
 103 preceding sentence, the Board must give the Departments of Permitting  
 104 Services and Transportation a reasonable opportunity to comment on  
 105 the proposed requirement.

106 \* \* \*

107 *Approved:*

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Craig L. Rice, President, County Council

Date

## LEGISLATIVE REQUEST REPORT

Bill 33-13

*Streets and Roads – Urban Road Standards and Pedestrian Safety Improvements*

- DESCRIPTION:** Limits the width of travel lanes, turning lanes, and parking lanes, as well as the size of intersection curb radii in urban areas. Requires curb extensions (sidewalk bulb-outs) in many cases where a road in an urban area is reconstructed. Sets target speeds at which vehicles should operate in specific contexts. Requires certain road improvements to include a sufficient pedestrian refuge area, directs developers building road improvements to add curb ramps where appropriate, and requires curb ramps to be built in accordance with federal ADA Best Practices.
- PROBLEM:** Certain design standards currently do not produce roads that are appropriate for urban areas and do not provide sufficient accommodation for pedestrians and bicyclists.
- GOALS AND OBJECTIVES:** To provide both for mobility for motor vehicles and a safer environment for pedestrians and bicyclists.
- COORDINATION:** Department of Transportation, Department of Permitting Services, Planning Board
- FISCAL IMPACT:** To be requested.
- ECONOMIC IMPACT:** To be requested.
- EVALUATION:** To be requested.
- EXPERIENCE ELSEWHERE:** To be researched.
- SOURCE OF INFORMATION:** Michael Faden, Senior Legislative Attorney, 240-777-7905  
Glenn Orlin, Deputy Council Administrator, 240-777-7936
- APPLICATION WITHIN MUNICIPALITIES:** To be researched.
- PENALTIES:** Not applicable.