



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

MARC ELRICH
COUNCILMEMBER AT-LARGE

To: PHED Committee Chair Nancy Floreen and
GO Committee Chair Nancy Navarro
Re: Subdivision Staging Policy
Date: October 17, 2016
Subject: Subdivision Staging Policy – Transportation - comments, questions and next steps

I have been following the deliberations of the Subdivision Staging Policy (SSP) in both committees, and I will continue to do so. Below are comments, suggestions and proposals about the transportation section of the SSP based on numerous discussions, meetings, research and more. Separately, I have other comments about the draft, including impact taxes, as submitted by the Planning Board (PB).

First, I think it is important to reiterate the purpose of the SSP, which before 2012 was called the Annual Growth Policy. As the PB draft states, “The Subdivision Staging Policy (SSP) transportation elements serve a single purpose: ensuring that new development provides adequate public facilities in an appropriate manner and to an appropriate extent.” (pg. 17)

The Planning Board has stated their intent to make this a policy that prioritizes transit over road solutions, which is a policy I strongly support. However, this draft does not do that. There seems to be confusion between transportation tests and solutions. Tests that show inadequate transportation infrastructure do not require road widenings or new roads. Tests show us where there are problems and then it is our job to determine the appropriate solution. We know that in our central business districts (CBDs) like Silver Spring and Bethesda, we are not adding or widening roads. We also know that the CBDs need better sidewalks, bike paths, more bike shares, and improved transit, which brings me to my first point.

1. Do not eliminate the Local Area Transportation Test (LATR) in "red" areas. Instead, require that all LATR remedies in red areas are transit, pedestrian and bike solutions.

The draft lists some of the problems with the existing LATR (p.18), but the problems should not lead to a conclusion of eliminating a test. Instead, they point to the need for better tests and better solutions.¹

¹ At least one person at the public hearing, Barney Rush, raised this same issue - don't eliminate a test - make it better.

It is up to us to decide (and the Planning Board can propose) the remedies, and the remedies do not have to be road solutions like intersection widenings and additions of turn lanes.

If the goal is to preserve walkability and public transit in our "red" areas, then the SSP could and should require only transit, pedestrian and bike solutions. An adequate public facilities policy should not ignore worsening traffic and congestion; it should seek to focus on getting people out of their cars in as many ways as possible.

A test that shows a large increase in vehicle traffic does not require wider roads or bigger intersections; it could (and should) require aggressive measures to increase non-auto drive mode share (NADMS) and require that the many of the new jobs be served by transit. I am aware that there have been and continues to be discussions about expanding the Traffic Mitigation Agreements (TMAgs) that outline the NADMS. Once NADMS targets are set, we then need an emphasis on policies and practices to help achieve those targets, including a comprehensive parking policy approach and a commitment to the BRT system, both of which have great potential for increasing NADMS.² And we need measurable standards that are regularly monitored and enforced.

Also, as raised in public hearing testimony, without LATR, there are fewer mechanisms to fund other improvements important to quality of life in urban-like areas, such as bikepaths, wide walkways, parks, greenways and reducing heat islands.³

An increased focus on NADMS requires a better analysis of transit adequacy, which leads me to my second point.

2. Use meaningful measures of transit capacity and adequacy and provide resources to improve and expand transit capacity, including in areas currently served by transit.

Mode share dictates the capacity needs of our transit system. Simply having a transit station (metro, MARC or future BRT or Purple Line) is a necessary but insufficient transit measure. The current PB draft proposes a transportation adequacy test based on transit accessibility (defined as the number of jobs that can be reached within a 60-minute travel time by walk-access transit); that proposal misses multiple necessary criteria.

As explained by the national Transportation Research Board (TRB), "transit capacity deals with the movement of *both* people and vehicles; depends on the size of the transit vehicles and how often they operate; and reflects interactions between transit vehicles, passengers, and other travel modes." [Emphasis in original.]⁴ Transit capacity measures begin with the forecast/required

² This approach is preferable to the idea that massive density will bring intolerable traffic congestion, which in turn will force commuters into transit. Not only is the idea that we should actively seek to make residents miserable an absurd concept, but it is also a concept that is not proven. Commuters will often choose longer travel times in the car over the unpredictability and unreliability of transit. It is up to elected leaders to make the transit accessible, reliable, predictable and appealing. Transit has to be a viable alternative.

³ Testimony from Maj-Britt Dohlie, #35

⁴ Transit Cooperative Research Program (TCRP) Report 165, Transit Capacity and Quality of Service Manual, 3rd edition, 2013, page 3-4

mode share and then must include measures that ascertain whether/how people will ride transit and the transit available to serve them.⁵

The transit measures in the 2012 SSP (for TPAR but outside metro station policy areas) included three of the transit measures from the TRB: *coverage, peak headway and span of service*. The addition of actual transit measures in 2012 was an important step for TPAR despite the fact that it did not apply to MSPAs and that it was missing three other important measures from TRB: Passenger Load, Reliability, and Travel Time. *While those three measures currently in TPAR were inadequate, they were in the appropriate direction.*

The six measures together give a picture of transit effectiveness that is integral to assessing transit capacity - attracting and retaining "choice" riders (those that have a choice between taking transit and using their cars. The transit accessibility measure does little to ascertain adequacy and capacity and provides nothing to maintain, improve or expand existing transit.

Rather than eliminating TPAR, the transit measures should be improved to include the missing measures. TPAR should apply in red, orange and yellow areas (both current practice and the proposed policy would exempt transit measures in red - or the current equivalent - areas. More comprehensive measures can help identify the best ways to improve and expand transit to accommodate increased demand, which should be driven by required/enforceable NADMS for new (and/or existing) development.

3. Do not use Critical Lane Volume (CLV) as a measure. Instead use measures of delay that address the actual experience on the roads; measures that look at how delay and queues at intersections impact other intersections.

CLV measures only the functioning at an intersection.⁶ In fact, it does not even measure the entire intersection.⁷ We need a measure that better reflects the experiences of people on the roads - in cars and buses. Because Montgomery County is not laid out on a grid system (actual cities do have grids), vehicles have no alternative routes so sit in ever increasing traffic. In Montgomery County, the absence of a grid system means unmanageable traffic at choke points during the morning and afternoon rush hours.

Rather than having each developer pay for their individual traffic study (hiring individual contractors), DOT and/or Planning staff should use a central program that can measure delay and survey the impact on the area more consistently and comprehensively. Developers instead would pay to maintain the central system and to pay for particular runs. The forecasting system developed by University of Maryland, which was presented to the Council on October 21, 2014,

⁵ The TRB manual also notes that "transit capacity is different than highway capacity." (page 3-4). Before the 2012 SSP, the "transit" measure of the Growth Policy disregarded this important distinction and simply stated that if bus speed was 70% of the speed of a car, then capacity was considered adequate.

⁶ "An intersection's ability to carry traffic is expressed as CLV, the level of congestion at critical locations with conflicting vehicle movements, usually an intersection." (LATR and TPAR guidelines, http://www.montgomeryplanning.org/transportation/latr_guidelines/ p.8) For more information about CLV, see <http://www.montgomeryplanning.org/transportation/IntersectionApplication.shtm>

⁷ "Free right turns" are not counted at all and left turns count for less if there is a dedicated left turn lane. (See pages 9 and 10, LATR and TPAR Guidelines.)

is able to show the effects of future development on a small area as well as the ripple effects further out.

Montgomery County resident Brian Krantz has documented that CLV is not an appropriate measure for delay even though it has been used for decades. In fact in 1998, the Chief of Transportation Planning at Park and Planning, Rick Hawthorne, published a paper analyzing the relationship between average delay and CLV and concluded “there is little relationship between delay and CLV.”⁸ Additionally, a 2012 technical memorandum from Sabra Wang to Planning staff recommends using HCM delay measures for capacity rather than CLV.⁹

4. Impact taxes in former enterprise zones. Transportation impact taxes should be required in former enterprise zones. The Planning Board recommended the imposition of education impact taxes in former enterprise zones; transportation impact taxes should also be required.

5. Develop a parking policy that can reduce car use for commuting to work. Limiting long-term parking can and should be part of a plan to encourage/move commuters to public transit and other forms of commuting. However, it must be part of a coordinated effort that includes sufficient transit (with real measures of adequacy) and the limited parking has to be applied in a coordinated fashion. Simply allowing developers to build less parking - and reducing their impact taxes, as proposed in the PB draft, is not a policy step that controls parking and promotes transit.

6. Extend the transportation provisions of the SSP for one year to allow development of true transit-oriented measures. It does not make sense to pass a new SSP that does not meet the stated aims of providing adequate infrastructure with new development and does not prioritize and promote transit as explained above. We need solutions countywide and the ability to raise funds for those solutions.

7. Rename the SSP to better reflect its purpose. Many (most?) residents do not understand the words "subdivision staging"; the erstwhile "annual growth policy" title was more understandable. The title should be more reflective of the purpose: "Infrastructure and Development Coordination Policy" better explains the purpose.¹⁰

Cc: Planning Board members
Glenn Orlin, Council staff

⁸ “Measuring Congestion and Delay: The Critical Lane Volume Method,” Richard C. Hawthorne and Ronald C. Welke, M-NCPPC. Published 1998, Conference: 68th Annual Meeting of the Institute of Transportation Engineers. Page 6.

⁹ http://www.montgomeryplanning.org/research/subdivision_staging_policy/2012/documents/latr_lit_review_memo_4_9_%2012.pdf

¹⁰ My staff has suggested the title, “Future Infrastructure Policy”, which could be known as FIP – “Don’t have a fit, do FIP!”