

Expedited Bill No. 33-13  
Concerning: Streets and Roads – Urban  
Road Standards and Pedestrian  
Safety Improvements  
Revised: 11-25-14 Draft No. 5  
Introduced: December 10, 2013  
Enacted: November 25, 2014  
Executive: December 3, 2014  
Effective: December 3, 2014  
Sunset Date: None  
Ch. 37, Laws of Mont. Co. 2014

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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By: Councilmembers Berliner and Riemer

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**AN EXPEDITED 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, 49-25, 49-26, 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:*



28 bicyclists, transit users, automobile drivers, commercial vehicles and freight haulers,  
 29 and emergency service vehicles - is accommodated. Each road and street must  
 30 facilitate multi-modal use and assure that all users can travel [safety] safely in the  
 31 public right of way. A specified quantity of stormwater must be managed and treated  
 32 on- site, in the road or street right-of-way, including through the use of vegetation-  
 33 based infiltration techniques. These [contest] context-sensitive policies must be  
 34 employed in all phases of publicly or privately funded facility development,  
 35 including planning, design, construction, [and] reconstruction, and streetscaping.  
 36 Each transportation project must incorporate complete streets infrastructure sufficient  
 37 to promote safe and convenient travel along and across the right-of-way for all users.

\* \* \*

39 **49-26. Definitions.**

\* \* \*

41 *Bikeway*: any area expressly intended for bicycle travel, including any:

42 (a) *Shared use path*: a paved path [[8'-12']] that is typically 10 feet wide  
 43 but can vary between 8 feet and 14 feet wide, designated for bicycles  
 44 and pedestrians, that is separated from motorized traffic by a curb,  
 45 barrier, or landscape panel.

\* \* \*

47 (d) *Separated bike lane*, also known as a protected bike lane or cycle track:  
 48 a bikeway that is physically separated from motor vehicles and  
 49 pedestrian facilities. The separation may be vertical, such as a curb;  
 50 horizontal, such as a landscape panel or parking lane; or a combination.  
 51 A separated bike lane may be in a one-way or two-way configuration.

52 (e) *Buffered bike lane*: a bikeway separated from a motor vehicle travel  
 53 lane with an area of striped pavement.

54 Complete streets: streets that are planned, designed, and constructed to enable  
55 safe access for all users, including pedestrians, bicyclists, motorists, and transit riders  
56 of all ages and abilities, commercial vehicles, freight haulers, and emergency service  
57 vehicles.

58 Complete streets infrastructure: any design feature that contributes to a safe,  
59 convenient, and comfortable travel experience, which may include such features as  
60 sidewalks; shared use paths, bike lanes, and separated bike lanes; bike stations and  
61 bike storage facilities; narrow motor vehicle lanes and tight curb radii; street trees,  
62 planting strips, and other right-of-way landscaping; curbs and accessible curb ramps;  
63 curb extensions, crosswalks, and refuge islands; raised medians; pedestrian and  
64 traffic signals, including countdown and accessible signals; signage; streetlighting;  
65 street furniture; bicycle parking facilities; stormwater management; public  
66 transportation stops and shelters; dedicated transit lanes; and traffic calming devices.

67 \* \* \*

68 Curb extension: an area that extends the line of a curb into a parking lane,  
69 reducing the width of a street.

70 \* \* \*

71 Maximum Target Speed: the maximum speed at which vehicles should operate  
72 on a [throughfare] thoroughfare in a specific context, consistent with the level of  
73 multimodal activity generated by adjacent land uses, to provide mobility for motor  
74 vehicles and a safe environment for pedestrians and bicyclists. [The target speed is  
75 usually the posted speed limit.]

76 \* \* \*

77 Sidewalk: a pedestrian walkway that fronts a road.

78 \* \* \*

79 **49-29. Pedestrian walkways, bikeways, and wheelchair traffic.**

80 (a) Bikeways and walkways must be constructed when any County road is  
 81 constructed, reconstructed, or relocated, [[unless the County Council  
 82 finds (for a road improvement authorized in a capital improvements  
 83 program) or the Planning Board finds (for a road improvement made a  
 84 condition of preliminary plan or site plan approval) that bikeways or  
 85 walkways sidewalks in that location would reduce public safety, would  
 86 not be feasible, or would be disproportionate in cost to their probable  
 87 use]] except any walkway:

- 88 (1) in front of a lot that is larger than 25,000 square feet for a single-  
 89 family detached dwelling in a rural zone;
- 90 (2) on any roadway that is classified as exceptional rustic, rustic,  
 91 country arterial, or country road;
- 92 (3) on a tertiary residential street if the Planning Board finds that a  
 93 sidewalk is unnecessary for pedestrian movement, or
- 94 (4) if the site is located in an environmentally sensitive area with  
 95 limits on the amount of impervious surface allowed.

96 [[All bikeways and walkways]] Each bikeway and walkway must  
 97 conform to approved capital improvements programs and be consistent  
 98 with applicable area master plans and transportation plans adopted by  
 99 the Planning Board.

100 (b) To promote the safety of bicycle and wheelchair travel throughout the  
 101 County, the County Executive must [establish] adopt, by regulation,  
 102 standards and specifications to build and maintain ramps at curbed  
 103 intersections and storm water gratings and other openings along roads  
 104 and streets, in each case of a design and type that is not a hazard to  
 105 bicycle and wheelchair traffic and is consistent with Americans with  
 106 Disabilities Act best practices guidelines published by the United States

107 Department of Justice. These ramps, gratings, and openings must be  
 108 built and maintained as part of each project under subsection (a).

109 [[\* \* \*]]

110 **49-32. Design standards for types of roads.**

111 (a) The design standards adopted under this Article govern the construction  
 112 or reconstruction of any County road except Rustic Roads and  
 113 Exceptional Rustic Roads. If the Planning Board, in approving a  
 114 subdivision or site plan, [determines] finds that a waiver from any  
 115 applicable design standard is necessary to promote context-sensitive  
 116 design of a specific road, the Executive or the Executive's designee  
 117 must adopt the Board's recommendation unless the Executive or [the  
 118 the Executive's designee [concludes that] notifies the Board why  
 119 approving the waiver would significantly impair public safety. The  
 120 County Council may adopt alternative standards for a specific road  
 121 constructed or reconstructed in a project in the approved capital  
 122 improvements program.

123 \* \* \*

124 (g) Each through travel or turning lane on an urban road must be no wider  
 125 than 10 feet, except that a single travel lane adjacent to a parking lane  
 126 must be no wider than 11 feet and a through travel or turning lane  
 127 abutting an outside curb[, which]] must be no wider than 11 feet,  
 128 including the gutter pan. Each parking lane on an urban road must be  
 129 no wider than 8 feet, including the gutter pan. The standards in this  
 130 subsection do not apply if, for a road improvement required as a result  
 131 of approving a subdivision or site plan, the Executive or the Executive's  
 132 designee concludes that applying a specific standard at a specific site  
 133 would significantly impair public safety.

- 134 (h) The curb radius at the corner of each intersection of two urban roads  
 135 must not exceed 15 feet[.] except where:  
 136 (1) there is only one receiving lane;  
 137 (2) a curb extension is located; or  
 138 (3) for a road improvement required as a result of approving a  
 139 subdivision or site plan, the Executive or the Executive's  
 140 designee concludes that applying this standard at a specific site  
 141 would significantly impair public safety.
- 142 [[Curb extensions must be provided at the ends of each permanent  
 143 parking lane except where a right-turn lane is designated.]]
- 144 (i) Each pedestrian refuge must be at least 6 feet wide. A pedestrian refuge  
 145 must be [[provided]] located at each intersection on a divided highway  
 146 with 6 or more through travel lanes.
- 147 (i) Unless otherwise specified in a master plan or the approved capital  
 148 improvements program, the maximum target [[speeds in the table below  
 149 must govern the construction or reconstruction of any County road  
 150 except Rustic Roads and Exceptional Rustic Roads:]] speed for a road  
 151 in an urban area is 25 mph.

<u>[[Classification</u>	<u>Target Speed</u>
<u>Freeway</u>	<u>55-65 mph</u>
<u>Controlled Major Highway</u>	<u>50 mph</u>
<u>Parkway</u>	<u>urban: 25 mph</u>
	<u>Suburban: 40 mph</u>
<u>Major Highway</u>	<u>urban: 25 mph</u>
	<u>Suburban: 35-40 mph</u>
	<u>rural: 45 mph*</u>
<u>Country Arterial</u>	<u>Suburban: 40 mph</u>

	<u>rural: 40-45 mph*</u>
<u>Arterial</u>	<u>urban: 25 mph</u>
	<u>Suburban: 35 mph</u>
	<u>rural: 40 mph*</u>
<u>Minor Arterial</u>	<u>urban: 25 mph</u>
	<u>Suburban: 30 mph</u>
	<u>rural: 35 mph*</u>
<u>Business District Street</u>	<u>25 mph</u>
<u>Industrial Street</u>	<u>25 mph</u>
<u>Country Road</u>	<u>25 mph</u>
<u>Primary and Principal Secondary Residential Streets</u>	<u>25 mph</u>
<u>Secondary Residential Streets</u>	<u>20 mph</u>
<u>Tertiary Residential Street</u>	<u>20 mph</u>
<u>Alley</u>	<u>15 mph]]</u>

152 [[\*Target speed for these classifications in suburban and rural  
 153 commercial zones is 30 mph.]]

154 [[\* \* \*]]

155 **49-33. Road construction requirements.**

156 \* \* \*

157 (e) (1) If a lot or lots front on a public road, the permittee must install  
 158 sidewalks, master-planned bikeways, ramps, curbs, and gutters,  
 159 except any sidewalk:

160 (A) in front of a lot that is larger than 25,000 square feet for a  
 161 single-family detached dwelling in a rural zone;

162 (B) on any roadway classified as exceptional rustic, rustic,  
 163 country arterial, or country road;



- 164                    (C) on a tertiary residential street, or in an environmentally  
165                                sensitive area with limits on the amount of impervious  
166                                surface allowed, if in either case the Planning Board finds  
167                                that a sidewalk is unnecessary for pedestrian movement; or  
168                    (D) on a secondary or tertiary residential street or service drive  
169                                where the Department of Permitting Services finds that a  
170                                sidewalk will not connect potentially to other sidewalk  
171                                segments.

172                    [[except on any Secondary or Tertiary Residential Street,] or on  
173                                any Service Drive fronting on any lot in a residential zone. This  
174                                requirement does not apply if the minimum net lot area for a one-  
175                                family detached dwelling in that zone is larger than 25,000 square  
176                                feet, except that [a sidewalk must be installed] the permittee must  
177                                install sidewalks and ramps on any primary or higher  
178                                classification road.]]

179                    (2) However, the Planning Board may require the applicant to install  
180                                sidewalks, ramps, curbs, and gutters [[in any such zone]] if the  
181                                Board finds, as a condition of approval of a preliminary  
182                                subdivision plan or site plan, that sidewalks, bikeway  
183                                connections, ramps, curbs, and gutters at that location are  
184                                necessary to allow access:

- 185                                [[ (1) ] (A) to a sidewalk or bikeway;
- 186                                [[ (2) ] (B) to a bus or other public transit stop;
- 187                                [[ (3) ] (C) to an amenity or public facility that will be used by  
188                                        occupants of the site or subdivision; or
- 189                                [[ (4) ] (D) by persons with disabilities.

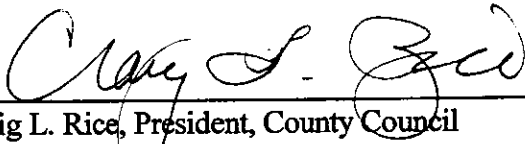
190 Before the Planning Board approves any requirement under [[the  
191 preceding sentence]] this paragraph, the Board must give the  
192 Departments of Permitting Services and Transportation a  
193 reasonable opportunity to comment on the proposed requirement.

194 \* \* \*


195 **Sec. 2. Regulations; applicability.** The County Executive must transmit to  
196 the Council, by June 1, 2016, a regulation adopted under Method 2 that contains  
197 comprehensive complete streets guidelines. Once adopted this regulation must  
198 replace the standards in Section 49-32(g), (h) and (i). Any revised road design and  
199 construction standards in Chapter 49, as amended in Section 1 of this Act, do not  
200 apply to any road construction project that is in final design or construction when this  
201 Act takes effect.

202 **Sec. 3. Expedited Effective Date.** The Council declares that this legislation  
203 is necessary for the immediate protection of the public interest. This Act takes effect  
204 on the date when it becomes law.

205 *Approved:*

206  
207  11/25/14  
\_\_\_\_\_  
Craig L. Rice, President, County Council Date

208 *Approved:*

209  
210  Dec 3, 2014  
\_\_\_\_\_  
Isiah Leggett, County Executive Date

211 *This is a correct copy of Council action.*

212  12/9/14  
\_\_\_\_\_  
Linda M. Lauer, Clerk of the Council Date