MEMORANDUM

TO:  County Council  
FROM:  Michael Faden, Senior Legislative Attorney  
        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:

<table>
<thead>
<tr>
<th>Circle #</th>
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<tr>
<td>Bill 33-13</td>
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<tr>
<td>Legislative Request Report</td>
</tr>
</tbody>
</table>
COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Berliner

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

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 49-4, 49-29, 49-32, and 49-33 are amended as follows:


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

49-25. Purpose and short title.

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

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

To achieve these goals, each County road and street must be designed so that the safety and convenience of all users of the roadway system - including pedestrians, bicyclists, transit users, automobile drivers, commercial vehicles and freight haulers, and emergency service vehicles - is accommodated. Each road and street must facilitate multi-modal use and assure that all users can travel [safety] safely in the public right of way. A specified quantity of stormwater must be managed and treated on-site, in the road or street right-of-way, including through the use of vegetation-
based infiltration techniques. These context-sensitive policies must be employed in all phases of publicly or privately funded facility development, including planning, design, construction, and streetscaping.


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

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

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

49-32. Design standards for types of roads.

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

* * *

(g) Each through travel or turning lane on an urban road must be no wider than 10 feet, except a through travel or turning lane abutting an outside curb, which must be no wider than 11 feet, including the gutter pan. Each parking lane on an urban road must be no wider than 8 feet, including the gutter pan.

(h) The curb radius at the corner of each intersection of urban roads must not exceed 15 feet. Curb extensions must be provided at the ends of each permanent parking lane except where a right-turn lane is designated.

(i) Each pedestrian refuge must be at least 6 feet wide. A pedestrian refuge must be provided at each intersection on a divided highway with 6 or more through travel lanes.

(j) Unless otherwise specified in a master plan or the approved capital improvements program, the target speeds in the table below must govern the construction or reconstruction of any County road except Rustic Roads and Exceptional Rustic Roads:
### Classification vs. Target Speed

<table>
<thead>
<tr>
<th>Classification</th>
<th>Target Speed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freeway</td>
<td>55-65 mph</td>
</tr>
<tr>
<td>Controlled Major Highway</td>
<td>50 mph</td>
</tr>
<tr>
<td>Parkway</td>
<td>urban: 25 mph</td>
</tr>
<tr>
<td></td>
<td>suburban: 40 mph</td>
</tr>
<tr>
<td>Major Highway</td>
<td>urban: 25 mph</td>
</tr>
<tr>
<td></td>
<td>suburban: 35-40 mph</td>
</tr>
<tr>
<td></td>
<td>rural: 45 mph *</td>
</tr>
<tr>
<td>Country Arterial</td>
<td>suburban: 40 mph</td>
</tr>
<tr>
<td></td>
<td>rural: 40-45 mph *</td>
</tr>
<tr>
<td>Arterial</td>
<td>urban: 25 mph</td>
</tr>
<tr>
<td></td>
<td>suburban: 35 mph</td>
</tr>
<tr>
<td></td>
<td>rural: 40 mph *</td>
</tr>
<tr>
<td>Minor Arterial</td>
<td>urban: 25 mph</td>
</tr>
<tr>
<td></td>
<td>suburban: 30 mph</td>
</tr>
<tr>
<td></td>
<td>rural: 35 mph *</td>
</tr>
<tr>
<td>Business District Street</td>
<td>25 mph</td>
</tr>
<tr>
<td>Industrial Street</td>
<td>25 mph</td>
</tr>
<tr>
<td>Country Road</td>
<td>25 mph</td>
</tr>
<tr>
<td>Primary and Principal Secondary Residential Streets</td>
<td>25 mph</td>
</tr>
<tr>
<td>Secondary Residential Streets</td>
<td>20 mph</td>
</tr>
<tr>
<td>Tertiary Residential Street</td>
<td>20 mph</td>
</tr>
<tr>
<td>Alley</td>
<td>15 mph</td>
</tr>
</tbody>
</table>

*Target speed for these classifications in suburban and rural commercial zones is 30 mph.

49-33. **Road construction requirements.**
If a lot or lots front on a public road, the permittee must install sidewalks, ramps, curbs, and gutters, except on any Secondary or Tertiary Residential Street[,] or on any Service Drive fronting on any lot in a residential zone. This requirement does not apply if the minimum net lot area for a one-family detached dwelling in that zone is larger than 25,000 square feet, except that [a sidewalk must be installed] the permittee must install sidewalks and ramps on any primary or higher classification road. However, the Planning Board may require the applicant to install sidewalks, ramps, curbs, and gutters in any such zone if the Board finds, as a condition of approval of a preliminary subdivision plan or site plan, that sidewalks, ramps, curbs, and gutters at that location are necessary to allow access:

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

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

* * *

Approved:

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.