

Ordinance No.: 19-40
Subdivision Regulation Amendment
No.: 22-01
Concerning: Streets and Roads
Draft No. & Date: 2 – 10/19/2022
Introduced: July 26, 2022
Public Hearing: September 20, 2022
Adopted: October 25, 2022
Effective: November 14, 2022

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

Lead Sponsor: Council President Alborno at the Request of the County Executive

AN AMENDMENT to the Montgomery County Subdivision Ordinance to:

- replace any reference to road or street types with new typology that implements the Complete Streets Design Guide and matches the updates to Chapter 49 in Bill 24-22;
- modifies the design standards of certain road types including intersection spacing and horizontal alignment, based on the Complete Streets Design Guide; and
- generally amend provisions relating to streets and roads.

By amending the following sections of the Montgomery County Subdivision Ordinance, Chapter 50 of the Montgomery County Code:

DIVISION 50.4
Section 50.4.3

“PRELIMINARY PLAN”
“Technical Review”

EXPLANATION: ***Boldface** indicates a Heading or a defined term.*

Underlining indicates text that is added to existing law by the original text amendment.

[Single boldface brackets] indicate text that is deleted from existing law by original text amendment.

Double underlining indicates text that is added to the text amendment by amendment.

[[Double boldface brackets]] indicate text that is deleted from the text amendment by amendment.

** * * indicates existing law unaffected by the text amendment.*

OPINION

Subdivision Regulation Amendment (SRA) 22-01, Streets and Roads, lead sponsor Council President Alborno at the request of the Planning Board, was introduced on July 26, 2022, with a public hearing on September 20, 2022. SRA 22-01 updates the standards for intersection spacing, provides new guidance on protected intersections, and replaces all occurrences of existing street types with the new street typologies from the Complete Streets Design Guide.

The Planning Board met on September 15, 2022, and unanimously supported SRA 22-01. The Planning Board recommended two amendments: 1) defining “protected crossings”, and 2) clarifying when a Neighborhood Street or Neighborhood Yield Street may be a private road.

The T&E Committee held a worksession on October 10, 2022. The T&E Committee recommended approval of SRA 22-01 with the amendments recommended by the Planning Board.

For these reasons, and because to approve this amendment will assist in the coordinated, comprehensive, adjusted, and systematic development of the Maryland-Washington Regional District located in Montgomery County, Subdivision Regulation Amendment No. 22-01 will be approved as amended.

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:

Sec. 1. DIVISION 50.4 is amended as follows:

* * *

Section 4.3. Technical Review

* * *

E. Roads.

1. Plan requirements.

- a. *Master plan roads.* Preliminary plans must include roads shown on any adopted Master Plan of Highways and Transitways, in satisfaction of the Road Design and Construction Code. Where applicable, an approved plan must include recommendations of the State Highway Administration for construction and access to State roads. Where private roads are specifically recommended by a master plan, the roads must be provided to the standards for private roads under this Section.

* * *

2. Design standards.

* * *

f. Intersection.

- i. Roads must be laid out to intersect as nearly as possible at right angles. The Board must not approve a proposed intersection of new roads at an angle of less than 70 degrees.
- ii. The distance between proposed road intersections, excluding alleys and driveways, must be spaced as shown in the table below, as measured from the centerline of the intersections. When the Board finds that a greater or lesser distance is appropriate, the Board may specify a greater or lesser distance than otherwise required after considering the recommendation of the transportation agency responsible for maintaining the road.

On streets with operating speeds of 30 mph or higher, protected crossings shall be included, as defined in Chapter 49 of the County Code. Protected crossings include HAWK signals, all-way stop controlled intersections, or grade-separated crossings. Protected crossing spacing targets are shown in the table below, as measured from the centerline of the intersections. Engineering judgement is needed to determine the ultimate placement and spacing between signals, with a focus on sight lines, road safety, location of trip generators, bus stops, and prevalent crossing patterns. Where ranges are provided, the lower end of the range is recommended in commercial areas, on BRT corridors, and near schools (or similar destinations).

<i>Road Classification</i>	<i>Locale</i>	<i>Distance Between Intersections (FT)</i>	<i><u>Maximum Protected Crossing Spacing Targets (FT)</u></i>
[Tertiary Residential]	[All]	[150]	
[Secondary Residential] <u>Neighborhood Street and Neighborhood Yield Street</u>	[Urban] <u>All</u>	200	<u>N/A</u>
	[Suburban]	[200]	
	[Rural]	[200]	
[Primary and Principal Secondary] <u>Connectors, Neighborhood and Area</u>	[Urban] <u>Downtown and Town Center</u>	300	<u>600</u>
	Suburban	400 – 600	600 – 1,200
	[Rural] <u>Country</u>	400 – 800	600 – 1,200
[Business District and] Industrial	[Urban] <u>All</u>	[300*] <u>400</u>	<u>800</u>
	[Suburban]	[400*]	
	[Rural]	[400*]	
Country Road	<u>All</u>	400	<u>1,300 – 2,700</u>
Country [Arterial] <u>Connector</u>	<u>All</u>	800	<u>1,300 – 2,700</u>
[Minor Arterial]	[Urban]	[300]	

	[Suburban]	[500]	
	[Rural]	[800]	
[Arterial]	[Urban]	[300*]	
	[Suburban]	[600*]	
	[Rural]	[800*]	
<u>Downtown Boulevard</u>	<u>All</u>	<u>400</u>	<u>400</u>
<u>Town Center Boulevard</u>	<u>All</u>	<u>600</u>	<u>600</u>
<u>Boulevard</u>	<u>All</u>	<u>800</u>	<u>800 – 1,000</u>
<u>Downtown Street</u>	<u>All</u>	<u>400</u>	<u>400</u>
<u>Town Center Street</u>	<u>All</u>	<u>400</u>	<u>400</u>
[Major Highway]	[Urban]	[300*]	
	[Suburban]	[800*]	
	[Rural]	[1000*]	
Controlled Major Highway	[Urban] <u>All</u>	[300] <u>1,000</u> *	<u>1,300</u>
	[Suburban]	[1000*]	
	[Rural]	[1000*]	
Parkway	[Urban] <u>All</u>	[300] <u>800</u> *	<u>800</u>
	[Suburban]	[600*]	
	[Rural]	[800*]	

*NOTE: Median breaks on divided roadways must be no closer than 600 feet except in Downtown Areas.

* * *

g. *Horizontal alignment.* In all public and private [primary, secondary and tertiary] residential streets and culs-de-sac, the alignment must be designed so that all deflections in horizontal alignment are accomplished through segments of circular curves properly incorporated into the design. The minimum permitted centerline radii must be:

- i. [Primary roads] Neighborhood Connectors 300 feet
- ii. [Secondary roads] Neighborhood Streets and Neighborhood Yield Streets more than 500 feet in length 150 feet

- 54 iii. [Tertiary roads] Neighborhood Streets and Neighborhood Yield
 55 Streets less than 500 feet in length 100 feet

56 The Board must specify greater radii when safety requires. A tangent at
 57 least 100 feet long must be used between two reverse curves, except in
 58 a [secondary or tertiary residential street] Neighborhood Street or a
 59 Neighborhood Yield Street. The Board may specify a lesser radius
 60 when the Department of Transportation has previously issued a design
 61 exception for a similar design.

62 * * *

63 4. *Additional standards for private roads.*

64 * * *

- 65 d. *Road classifications.* When the Department of Transportation
 66 determines that the proposed road is not needed to maintain
 67 area circulation, provide continuous corridors to serve the general
 68 public and quasi-public needs such as communication, utility, and
 69 future potential transportation or other systemic needs that serve the
 70 public on a long-term basis, and is not needed to be part of the network
 71 modeled for area capacity, consideration will be given to making the
 72 following roads private:

- 73 i. Only roads classified as either [Business District] Downtown
 74 Street, Town Center Street, Industrial, [Secondary, Tertiary]
 75 Neighborhood Street, Neighborhood Yield Street, or Alley may
 76 be considered by the Board to be private. All other road
 77 classifications must be public unless specifically permitted to be
 78 a private road by a master plan.

- 79 ii. Private roads with improvements above or below the pavement
- 80 are only allowed in projects that require site plan review and
- 81 approval.
- 82 iii. Private roads should not be permitted if they will create a
- 83 segmented road ownership pattern, unless approved by the
- 84 Planning Board.
- 85 iv. Private roads must not be permitted if they will negatively affect
- 86 development of other properties.
- 87 v. Except where a Master Plan indicates that a [Business District]
- 88 Downtown Street or Town Center Street [street] could be
- 89 private, a [Business District road] Downtown Street or Town
- 90 Center Street may be a private road only when it is not required
- 91 to provide an adequate traffic level of service. A private
- 92 [Business District] Downtown Street or Town Center Street
- 93 [street] may be approved only when the proposed road is either
- 94 not a connector between two higher classification roads or a
- 95 road that is not planned to extend beyond the boundary of the
- 96 preliminary plan.
- 97 vi. An industrial road may be a private road only when the road is
- 98 part of roads internal to the industrial site and the road is not a
- 99 connector between higher classified roads.
- 100 vii. A [secondary road] Neighborhood Street or a Neighborhood
- 101 Yield Street may be a private road only when it:
- 102 (a) connects to no more than one higher classification road
- 103 and the road does not need to be extended onto adjacent
- 104 property to facilitate a future subdivision of land[.];
- 105 [[and]]or,

106 (b) when it has a cul-de-sac less than 500 feet in length.

107 [viii. A tertiary road, when a cul-de-sac, must be less than 500 feet in
108 length.]

109 * * *

110 **Sec. 2. Effective date.** This ordinance becomes effective 20 days after the
111 date of Council adoption.

112

This is a correct copy of Council action.



Judy Rupp
Clerk of the Council