

Bill No. 33-13  
Concerning: Streets and Roads – Urban  
Road Standards and Pedestrian  
Safety Improvements  
Revised: 10-23-14 Draft No. 2  
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: Councilmembers Berliner and Riemer

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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, 49-25, 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>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<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, 49-25, 49-26, 49-29, 49-32, and 49-33 are amended**  
 2 **as follows:**

3 **49-4.           Public-private participation.**

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

10 **49-25.           [[Purpose and short title]] Complete streets policy and standards.**

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

- 14           (a) maximize the choice, safety, convenience, and mobility of all users,  
 15                 regardless of age, ability, or mode of transportation,
- 16           (b) maintain or expand connectivity for users,
- 17           [[b)] (c) respect and maintain the particular character of the community  
 18                 where it is located, [and]
- 19           [[c)] (d) minimize stormwater runoff and otherwise preserve the natural  
 20                 environment, and
- 21           [[d)] (e) to the maximum extent possible, facilitate the future accommodation  
 22                 of improved transportation technology elements, such as intelligent  
 23                 signals, smart parking meters, electric vehicle charging, car- and  
 24                 bicycle-sharing, and way-finding systems.

25           To achieve these goals, each County road and street must be designed so that  
 26 the safety and convenience of all users of the roadway system - including pedestrians,  
 27 bicyclists, transit users, automobile drivers, commercial vehicles and freight haulers,

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

37 \* \* \*

38 **49-26. Definitions.**

39 \* \* \*

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

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

45 \* \* \*

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

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

53 Complete streets: Streets that are planned, designed, and constructed to enable  
 54 safe access for all users, including pedestrians, bicyclists, motorists, and transit riders

55 of all ages and abilities, commercial vehicles, freight haulers, and emergency service  
 56 vehicles.

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

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

71 \* \* \*

72 **49-29. Pedestrian walkways, bikeways, and wheelchair traffic.**

73 (a) Bikeways and [[walkways]] sidewalks must be constructed when any  
 74 County road is constructed, reconstructed, or relocated, [[unless the  
 75 County Council finds (for a road improvement authorized in a capital  
 76 improvements program) or the Planning Board finds (for a road  
 77 improvement made a condition of preliminary plan or site plan  
 78 approval) that bikeways or walkways sidewalks in that location would  
 79 reduce public safety, would not be feasible, or would be  
 80 disproportionate in cost to their probable use]] except any sidewalk:

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

89           [[All bikeways and walkways]] Each bikeway and sidewalk must  
90 conform to approved capital improvements programs and be consistent  
91 with applicable area master plans and transportation plans adopted by  
92 the Planning Board.

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

102 **49-32.    Design standards for types of roads.**

- 103           (a)   The design standards adopted under this Article govern the construction  
104 or reconstruction of any County road except Rustic Roads and  
105 Exceptional Rustic Roads. [[If the]] The Planning Board, in approving  
106 a subdivision or site plan, [~~determines~~] [[finds that]] may approve a  
107 waiver from any applicable design standard [[is]] when a waiver is

108 necessary to promote context-sensitive design of a specific road]], the  
 109 Executive or the Executive’s designee must adopt the Board’s  
 110 recommendation unless the Executive or [the] designee [concludes that]  
 111 notifies the Board why approving the waiver would significantly impair  
 112 public safety]]. The County Council may adopt alternative standards  
 113 for a specific road constructed or reconstructed in a project in the  
 114 approved capital improvements program.

115 \* \* \*

116 (g) Each through travel or turning lane on an urban road must be no wider  
 117 than 10 feet, except a through travel or turning lane abutting an outside  
 118 curb, which must be no wider than 11 feet, including the gutter pan]].  
 119 Each]], and each parking lane on an urban road must be no wider than 8  
 120 feet, including the gutter pan, except where a waiver or alternative  
 121 standard is approved under subsection (a).

122 (h) The curb radius at the corner of each intersection of urban roads must  
 123 not exceed 15 feet[.]] except where curb extensions are provided or  
 124 where a waiver or alternative standard is approved under subsection (a).  
 125 [[Curb extensions must be provided at the ends of each permanent  
 126 parking lane except where a right-turn lane is designated.]]

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

130 (j) Unless otherwise specified in a master plan or the approved capital  
 131 improvements program, the maximum target [[speeds in the table below  
 132 must govern the construction or reconstruction of any County road  
 133 except Rustic Roads and Exceptional Rustic Roads:]] speed for a road  
 134 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>

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

137 **49-33. Road construction requirements.**

138 \* \* \*

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

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

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

160 \* \* \*

161 **Sec. 2. Regulations; applicability.** The County Executive must transmit to  
 162 the Council, by June 1, 2016, a regulation adopted under Method 2 that contains  
 163 comprehensive complete streets guidelines. Any revised road design and  
 164 construction standards in Chapter 49, as amended in Section 1 of this Act, do not  
 165 apply to any road construction project that is in final design or construction when this



166 Act takes effect.

167 *Approved:*

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169

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Craig L. Rice, President, County Council

Date

170 *Approved:*

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172

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Isiah Leggett, County Executive

Date

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

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Linda M. Lauer, Clerk of the Council

Date