

Expedited Bill No. 34-16
Concerning: Streets and Roads – Design
Revised: 11/3/2016 Draft No. 5
Introduced: August 2, 2016
Enacted: November 15, 2016
Executive: November 28, 2016
Effective: February 13, 2017
Sunset Date: None
Ch. 34, Laws of Mont. Co. 2016

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Planning, Housing, and Economic Development Committee

AN EXPEDITED ACT to:

- (1) clarify that certain permanent, nonstandard structures may be installed in the public right-of-way under certain circumstances;
- (2) require a permit to close any portion of a private road;
- (3) define certain terms; and
- (4) **[[establish road design criteria; and]]**
- (5) generally amend County law regarding rights-of-way and streets and roads.

By amending

Montgomery County Code
Chapter 49, Streets and Roads
Sections 49-1, 49-11, 49-26 and 49-33

And adding

Section 49-11A

Boldface	<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:

55 on a form prescribed by the Director of Permitting Services, submit
 56 detailed [[plans and specifications]] information, including the
 57 locations to be closed, duration of closure, location of required
 58 temporary closure signs, purpose of closure, and use and occupancy of
 59 all buildings or structures adjacent to or abutting the private road, and
 60 any additional information as the Director may require.

61 (d) The Director of Permitting Services [[must]] may charge a fee, set by
 62 Method 3 regulation, for the permit application and may include
 63 conditions in each permit that provide for the safety of any user of a
 64 building or structure adjacent to or abutting the private road, including
 65 providing for safe alternate access to and egress from any building or
 66 structure.

67 (e) Before the Director of Permitting Services issues a permit to close a
 68 private road in whole or in part under this Section, the Director of
 69 Transportation must review [[and approve]] or waive review each
 70 application [[for closure of a private road]] to ensure that closure will not
 71 adversely impact [[the area transportation network]] the use of
 72 connecting public roads. The Director of Transportation may
 73 recommend permit conditions to the Director of Permitting Services.
 74 [[approve]] The owner of a private road must submit a temporary traffic
 75 control plan that requires signage during closure to inform pedestrians
 76 about the duration of the closure, the permit number, and the owner's
 77 contact telephone number to call that address conditions of closure as
 78 may be required by the Director of Permitting Services.

79 * * *

80 **49-26. Definitions.**

81 In this Chapter, except where specified otherwise, the following words and
82 phrases have the meanings indicated:

83 [[AASHTO: The American Association of State Highway and Transportation
84 Officials. The guidelines in the 2011 (6th edition) of “A Policy on Geometric
85 Design of Highways and Streets” manual, as revised from time to time.]]

86 * * *

87 Private Road: Any street, highway, avenue, lane, alley, or viaduct, or any
88 segment of any of them, including any pedestrian walkway adjacent to the
89 private road that has not been deeded, dedicated or otherwise permanently
90 appropriated to the public for public use.

91 * * *

92 **49-33. Road [[Design]] and Construction requirements.**

93 * * *

94 [[n) Requirements for Profiles Submitted for Approval to the Department of
95 Permitting Services. Design requirements are:

- 96 (1) An applicant must use the vertical curve guidance in the current
97 edition of the AASHTO, as modified below, for designing
98 roadway profiles.
- 99 (2) The “Target Speed” for the proposed road as determined by this
100 Chapter, Executive Regulation, or the applicable master plan,
101 must be used as the “Design Speed” referred to in AASHTO.
102 Unless otherwise specified in a master plan or the approved
103 capital improvements program, the maximum target speed for a
104 road in an urban area is 25 mph.
- 105 (3) Landing grades must be provided at all arterial roads and primary
106 residential streets, using a 2% slope down from the center line of
107 the road intersected to a point along the gutter line, then a 2%

108 slope up, providing a low point at the gutter line of the intersected
 109 arterial road or primary residential street and a short tangent
 110 grade of 2% rising to the point of tangent for the fillet curve at
 111 the intersection.

112 (4) Landing grades to secondary residential roads may be provided
 113 with a cross slope of 4% or less. Landing grades to tertiary
 114 residential roads may be provided with a cross slope of exceed
 115 6% or less.

116 (5) The grades for arterial roads and primary residential streets must
 117 be 4% or less at any intersection with other roads.

118 (6) The grades for arterial roads and primary residential roads must
 119 be 8% or less, except where short theoretical tangent projections
 120 for vertical curves require a greater grade.

121 (7) The grades for secondary residential streets must be 10% or less,
 122 except where short theoretical projections for vertical curves
 123 require a greater grade.

124 (8) Maximum grades for tertiary residential streets are as follows:

125 (A) Where parking abuts the road - 10%;

126 (B) In any case - 14%; and

127 (C) Elsewhere, for a length of 200 feet or less (but not within
 128 200 feet of a secondary or primary residential street nor
 129 within 250 feet of arterial or higher classification) - 12%”.

130 (9) The minimum length for any crest or sag vertical curve is 50 feet.

131 (10) The calculated minimum curve lengths may be adjusted, with
 132 approval from the Department of Permitting Services, to satisfy
 133 unique site conditions or design constraints.]]

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