



Local Area Transportation Review (LATR) Pedestrian Adequacy Test Technical Guidance



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Completed: 10/25/18

Overview

This item is a continuation of the Planning Board’s discussion of the referenced topic that occurred at the Board’s July 19, 2018 meeting. Key elements of the public testimony received at this meeting and the response of planning staff to this commentary are summarized in the table provided below.

**Summary of Public Commentary:
LATR Pedestrian Adequacy Test Technical Guidance**

Issue	Commentary	Staff Response
Financial Impact on small development projects	Concern that requirements reflected in the technical guidance language would place an adverse/unreasonable financial burden on small development projects.	Only medium and large development projects are subject to this requirement due to the 50-trip pedestrian trip generation threshold that would trigger the need for a pedestrian adequacy test.
“Overlapping” ADA Compliance Requirements	Concern that the technical guidance language does not adequately address the need for equitable cost sharing among projects in close proximity to each other.	The tiers reflected in the technical guidance are designed to manage the overlap, with declining responsibilities or payment obligations for a project the further away one moves from the project boundary.
No Bethesda Unified Mobility Program (BUMP) for Bethesda-related projects.	Recognition that the “pro-rata share” provisions of a BUMP would address many of the issues/concerns expressed regarding the technical guidance for Bethesda-related projects.	Technical work in support of the BUMP is advancing and the program is anticipated to be available for public review in late-2018/early-2019 timeframe.

In response to the public commentary received, an outcome of the July 19, 2018 discussion, was a directive from the Board to Planning Department staff to work with Montgomery County Department of Transportation (MCDOT) staff to revise (as appropriate) the technical guidance memo developed by MCDOT pertaining to the application of the Local Area Transportation Review (LATR) pedestrian adequacy test. The proposed revisions are noted (in “track changes”) in the attached document.

Background

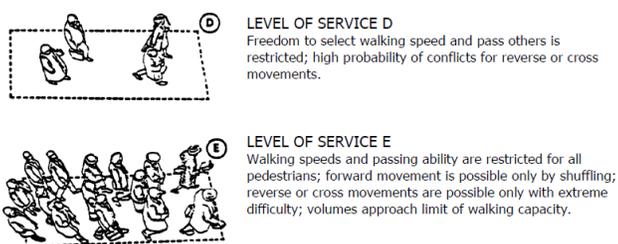
The 2016-2020 Subdivision Staging Policy (SSP) describes context-sensitive, multi-modal transportation adequacy tests that were incorporated into the *2017 Local Area Transportation Review (LATR) Guidelines*. In this context, **pedestrian system adequacy** is based on crosswalk capacity, in combination with a requirement to address Americans with Disabilities Act (ADA) non-compliance issues within a certain distance of a proposed project. This requirement is based on the logic that there is a nexus between new development and existing inadequate pedestrian circulation conditions when the new development generates sufficient pedestrian activity to substantially affect exposure to the inadequate conditions.

Pedestrian system adequacy is defined as providing level of service (LOS) D or better for any signalized crosswalk (see Figure 1 below). The methodology for evaluating pedestrian level of service is described in the 2010 Highway Capacity Manual (HCM) in Chapter 18. Any development site that generates more than 50 pedestrian peak hour trips (including trips to transit) must:

- Fix (or fund) ADA non-compliance issues within a 500' radius of the development site boundary and
- Ensure LOS D for crosswalk pedestrian delay (or no more delay than existing) at LATR study intersections within 500' of site boundaries or within areas where the County’s road construction code specifies use of urban design standards.

Regardless of the development size and location, if an intersection operational analysis is triggered for any intersections within a Road Code Urban Area (RCUA)/Bicycle Pedestrian Priority Area (BPPA), mitigation must not increase average pedestrian crossing time at the intersection.

Figure 1: Pedestrian Level of Service (LOS)



LOS	Expected Flows and Speeds			
	Pedestrian Space (ft ² /p)	Avg. Speed, S (ft/min)	Flow per Unit Width, v (p/ft/min)	v/c
A	≥ 35	260	0-7	0.0-0.3
B	25-35	250	7-10	0.3-0.4
C	15-25	240	10-15	0.4-0.6
D	10-15	225	15-20	0.6-0.8
E	5-10	150	20-25	0.8-1.0
F	< 5	< 150	Variable	Variable

Summary

In applying the new LATR pedestrian adequacy test, it has come to attention of Planning staff that there is too little information provided in the 2016-2020 SSP and the *2017 LATR Guidelines* that gives guidance to applicants for completing the ADA non-compliance assessment. Based on early experience with this new requirement, the execution of the pedestrian adequacy test presents several challenges – particularly in urbanized areas (i.e., Red and Orange policy areas identified in the 2016-2020 SSP), including: (1) the need for applicants to conduct an ADA non-compliance field survey that is “fair and reasonable” and (2) the need to ensure that the cost/burden associated with addressing inadequate pedestrian conditions is shared equitably among applicants in proximity to the proposed development site.

To address these issues, MCDOT staff recommends the technical procedure described in the **revised version** of the attached April 3, 2018 memo to Planning Department staff. The proposed procedure is tiered, based on the significance for access to the subject development project coupled with the likelihood of participation in addressing ADA non-compliance issues by other nearby development projects. An applicant’s requirements to fix or fund corrections to these conditions will depend on the location of the conditions relative to the project site. The proposed MCDOT technical procedure serves to provide useful guidance to other projects in need of addressing ADA non-compliance issues as an element of LATR requirements.

Staff will continue the discussion of the application of the proposed ADA non-compliance technical assessment procedure at the Planning Board’s November 1, 2018 meeting.

Recommendation

Staff recommends the Planning Board approve the proposed technical guidance for incorporation into the *2017 LATR Guidelines*.

Attachment:

1. April 3, 2018 memorandum, “MCDOT LATR Pedestrian Adequacy Test Technical Guidance”
(Revised October 25, 2018)

EG/PD/aj



Isiah Leggett
County Executive

Al R. Roshdieh
Director

DEPARTMENT OF TRANSPORTATION

ATTACHMENT

MEMORANDUM

April 3, 2018 Revised October 25, 2018

TO: Eric Graye, AICP, PTP, Planning Supervisor
Functional Planning and Policy Division
Maryland National Capital Park and Planning Commission

FROM: Rebecca Torma, Acting Manager
Development Review Section
Office of Transportation Policy

SUBJECT: Technical Guidance: 2016 Subdivision Staging Policy (SSP)
ADA Noncompliance Test Procedures for urbanized areas

This memorandum provides guidance to the development community on how to perform the pedestrian system adequacy test as required in the 2016 Subdivision Staging Policy (SSP) and the Local Area Transportation Review (LATR) guidelines, Fall 2017. The SSP has a goal to achieve an approximately equivalent transportation level of service in all areas of the County and provides for multi-modal transportation adequacy tests, including a test for pedestrian system adequacy. The SSP requires that any site that generates more than **50 pedestrian peak hour trips** (including trips to transit) must “fix (or fund) Americans with Disabilities Act (ADA) non-compliance issues within a 500’ radius of the site boundaries...” Given the 50-trip pedestrian peak hour threshold associated with this adequacy test, it should be noted that this requirement would typically be triggered by large proposed development projects. However, there is little additional guidance in the SSP or LATR guidelines for completing this assessment. Based on early experience with this new requirement, MCDOT recommends the procedure outlined below to the Planning Department for determination of project compliance within urbanized areas (Red/Orange Policy Areas).

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This procedure is tiered based on the significance for access to the project and likelihood of participation in addressing ADA non-compliance issues by other nearby projects. The applicant’s requirements to fix or fund corrections to these conditions will depend on the location of the condition with respect to the project site.

1. **Establish evaluation tiers.** The project-specific tiers should be confirmed at the scoping stage by the Planning Department, in consultation with MCDOT, before any assessment is done. The following guidance is provided for determining the tiers.

a. Tier 1 – Primary sidewalk

- i. The public or private street frontage of the project.

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Located one block west of the Rockville Metro Station

- ii. The same side of street up to the nearest public street intersection, or a maximum distance of 250 feet from the project boundary, measured along the street.
- iii. Approximately 25 feet along each intersecting street within 1.a.i and 1.a.ii.

b. Tier 2 – Connected sidewalk

- i. The same side of the street as the project between the first public road intersection and 250 feet (if applicable), measured along the fronting street.
- ii. The corresponding opposite side of the street as 1.a.ii and 1.b.i.
- iii. Approximately 25 feet along each intersecting street within 1.b.i, and 1.b.ii.

c. Tier 3 – Network connections

- i. Between 250 feet and 500 feet, measured along the fronting street.
- ii. The corresponding opposite side of the street.
- iii. Along both sides of each intersecting street in 1.a and 1.b, up to the next public road intersection or a maximum distance of 500 feet from the project boundary, measured along the street.
- iv. Approximately 25 feet further along each intersecting street identified in 1.c.iii.

2. Adequacy Determination

a. Tier 1

- i. The applicant should identify and fix ADA non-compliance issues with sidewalk ramps, traffic signals, significant trip hazards, cross slope deviations, and broken, missing, structurally failing sidewalks.
- ii. Beyond the site frontage, the applicant is not required to relocate utilities or traffic signal cabinets, reconstruct utility vaults, relocate fire hydrants, relocate street trees or relocate manhole covers.

b. Tier 2

- i. The applicant should identify and fix ADA non-compliance issues with sidewalk ramps, traffic signals, significant trip hazards, and missing or structurally failing sidewalks.
- ii. A minimum recommended contribution of \$100,000 toward ADA compliance may satisfy this requirement.

c. Tier 3

- i. The applicant should identify and fix ADA non-compliance issues with sidewalk ramps, traffic signals, significant trip hazards, and missing or structurally failing sidewalks.
- ii. A minimum recommended contribution of \$50,000 toward ADA compliance may satisfy this requirement.

- 3. For applicants to comply with the pedestrian system adequacy test, the contributions should be placed into a CIP fund for the relevant policy area (if applicable) or the countywide ADA Compliance Transportation CIP (P509325).

If you have any questions regarding this memorandum please call Rebecca Torma, at 240-777-2118.