**Date:** July 27, 2021

**Date of Meeting:** July 9, 2021

**Meeting Location:** Video conference

**Work Order Number:** 32189-005

**Project:** Howard County Complete Streets

**Meeting Description:** Complete Streets Implementation Team Meeting #19 (Part 2)

### Participants:

<table>
<thead>
<tr>
<th>Name</th>
<th>Company</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tom Auyeung</td>
<td>Howard County DPW, Trans. &amp; Special Projects</td>
<td>410.313.6142</td>
<td><a href="mailto:tauyeung@howardcountymd.gov">tauyeung@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Jennifer Biddle</td>
<td>Howard County DPW, Traffic Engineering</td>
<td>410.313.2430</td>
<td><a href="mailto:jbiddle@howardcountymd.gov">jbiddle@howardcountymd.gov</a></td>
</tr>
<tr>
<td>David Cookson</td>
<td>Howard County Office of Transportation</td>
<td>410.313.3842</td>
<td><a href="mailto:dcookson@howardcountymd.gov">dcookson@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Chris Eatough</td>
<td>Howard County Office of Transportation</td>
<td>410.313.0567</td>
<td><a href="mailto:ceatough@howardcountymd.gov">ceatough@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Chad Edmondson</td>
<td>Howard County Department of Planning &amp; Zoning</td>
<td>410.313.2350</td>
<td><a href="mailto:cedmondson@howardcounty.gov">cedmondson@howardcounty.gov</a></td>
</tr>
<tr>
<td>Bruce Gartner</td>
<td>Howard County Office of Transportation</td>
<td>410.313.0702</td>
<td><a href="mailto:bgartner@howardcounty.gov">bgartner@howardcounty.gov</a></td>
</tr>
<tr>
<td>Kris Jagarapu</td>
<td>Howard County DPW, Highways</td>
<td>410.313.7470</td>
<td><a href="mailto:kjagarapu@howardcountymd.gov">kjagarapu@howardcountymd.gov</a></td>
</tr>
<tr>
<td>David Ramsay</td>
<td>Howard County Public School System</td>
<td>410.313.6726</td>
<td><a href="mailto:david.ramsay@hcpss.org">david.ramsay@hcpss.org</a></td>
</tr>
<tr>
<td>Kristin Russell</td>
<td>Columbia Association</td>
<td>410.715.3107</td>
<td><a href="mailto:kristin.russell@columbiaassociation.org">kristin.russell@columbiaassociation.org</a></td>
</tr>
<tr>
<td>Larry Schoen</td>
<td>Multimodal Transportation Board</td>
<td>410.730.9797</td>
<td><a href="mailto:larryschoen@gmail.com">larryschoen@gmail.com</a></td>
</tr>
<tr>
<td>John Seefried</td>
<td>Howard County DPW</td>
<td>410.313.5712</td>
<td><a href="mailto:jseefried@howardcountymd.gov">jseefried@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Sam Sidh</td>
<td>Howard County Office of the County Executive</td>
<td>410.313.2013</td>
<td><a href="mailto:ssidh@howardcountymd.gov">ssidh@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Paul Walsky</td>
<td>Howard County Recreation and Parks</td>
<td>410.313.1695</td>
<td><a href="mailto:pwalsky@howardcountymd.gov">pwalsky@howardcountymd.gov</a></td>
</tr>
<tr>
<td>Jennifer White</td>
<td>Horizon Foundation</td>
<td>248.345.3030</td>
<td><a href="mailto:jwhite@thehorizonfoundation.org">jwhite@thehorizonfoundation.org</a></td>
</tr>
<tr>
<td>Jeff Riegner</td>
<td>WRA</td>
<td>302.571.9001</td>
<td><a href="mailto:jriegner@wrallp.com">jriegner@wrallp.com</a></td>
</tr>
<tr>
<td>Leah Kacanda</td>
<td>WRA</td>
<td>302.571.9001</td>
<td><a href="mailto:lkacanda@wrallp.com">lkacanda@wrallp.com</a></td>
</tr>
<tr>
<td>Mayra Filippone</td>
<td>Mahan Rykiel Associates</td>
<td>410.235.6001</td>
<td><a href="mailto:mfilippone@mahanrykiel.com">mfilippone@mahanrykiel.com</a></td>
</tr>
</tbody>
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Introduction

The purpose of the meeting was to review updated Chapter 1 (introduction), discuss the growth rates which will impact Chapters 4 and 5, and discuss the upcoming schedule.

Jeff Riegner welcomed all attendees and reviewed the agenda. Jeff led the group through the materials attached to these minutes.

Updated Chapter 1 (introduction)

Jeff reviewed the proposed changes to Chapter 1, Introduction. Changes are specified in the attached meeting materials. Questions and comments from members of the CSIT on proposed changes are included in these minutes.

Jeff noted that the biggest changes are in the Street Types section and noted that the dimensions shown in the charts are identical to what were approved by the CSIT in the spring.

Jeff highlighted section 1.1.E Authorization, and noted the current language references the original enactment of Volume III and subsequent updates. He asked if any staff from the Department of Public Works (DPW) can provide clarification. Tom Auyeung replied that he would follow up on this outstanding question.

Jeff asked whether a reference to fee in lieu should be provided in section 1.2.B Land Development Projects. Chad asked if fee in lieu is referenced anywhere else. Jeff replied that it is not mentioned anywhere else in this Chapter. Fee in lieu is more of a subdivision regulations issue than a Design Manual issue which gives a lot of flexibility as to when and how fee in lieu should be referenced.

Jeff reviewed section 1.3.B Transportation Classification, noting that the system will remain in place although it is no longer tied to the Street Types. Larry provided feedback on the last paragraph of that section which notes that “The County shall work proactively with the State of Maryland... to develop plans, facilities, and accommodations that further the County’s Complete Streets policy,” asking that the phrase “to the extent practical” be removed. Jeff asked Larry to provide the comment on the distributed draft, so everyone has a chance to review the comment after they have reviewed the draft document.

Jeff noted that section 1.3.C Street Types is difficult to read in the tracked changes version, so a clean copy of the Introduction was also distributed. This section specifies three guiding principles that were used during the development of the street types: people walking will have sidewalks or other separate infrastructure, people bicycling have facilities that meet a Level of Traffic Stress (LTS) standard, and people driving have sufficient space to travel at reasonable speeds. Larry replied that these three statements are not strong enough for a multimodal design manual, especially because there is no demand in locations where there are not multimodal facilities. For the walking statement, the language used must be broader than “significant demand.” For the bicycling statement, the burden should be on the designer to show that a destination does not need to be reached by children and LTS 1 is not needed. For the driving statement, if the County is serious about a future where there are fewer automobile trips then there must be a discussion of mode shift. The current text speaks to safety, but what about prioritizing for speed, convenience, and usability of walking, biking, and transit facilities?

Chad Edmondson referenced the second statement on bikes, nothing that when working with developers it is helpful to have hard and fast rules, and it may help to start with a list like schools, parks, and libraries where LTS 1 accommodations are required and there is no room for discussion. He agreed that it is important to put the burden back on the developer.

Kris Jagarapu commented that one challenge is that occupancy changes over time. There may be an industrial area that transitions to more public-facing retail uses like a climbing wall. When properties are leased, it can be challenging when reviewing to determine what LTS is appropriate, and more guidance will be necessary.
Chris Eatough replied that he did not interpret the phrase “significant demand” the same way. It does not mean there has to be counts of people walking now. Demand can be calculated by observing land use, not just counting pedestrians. He also noted that the third statement on driving includes a quote from the Complete Streets policy which cannot be changed.

Jeff replied that the CSIT has discussed what LTS is appropriate for bicycle facilities at past meetings, and thought the group had reached the conclusion that LTS 2 or better should be provided except in the case of a few destinations where children are likely to travel and LTS 1 is more appropriate. Bruce agreed that was what had been concluded. Larry replied that Chad just presented an alternate path forward, and that if LTS 1 is required in certain areas, the burden can be put on the designer to prove that a facility is unlikely to be used by children. Chris asked whether the specific destinations should be listed in this section of the design manual. He also noted the focus should not be just on children, since there are other users where LTS 1 is applicable. Kris replied that the list of destinations should be included in Chapter 2. Jeff agreed, sharing that Chapter 2 is under development currently. Once it is ready for review the team can look at each Chapter and determine where the list of LTS 1 destinations should be included.

Chris and Larry both provided positive feedback on the street type graphics.

Kris asked if the pavement markings could be shown in a color other than grey so that they show up better. For the Town Center Connector street type, eliminate the car parked in front of the bus stop.

Leah requested the CSIT provide feedback on the graphics as well as the text. Jeff noted that the street type table would be inserted on the page following Rural Development Streets.

Jeff overviewed section 1.3.D Scenic Roadways, noting that initially this section was going to be an overlay, but now it includes suggested text about how scenic roadways should be handled. Scenic roadways need to be able to accommodate people walking and bicycling. Chris asked that the first bulleted statement include language to qualify “parallel route” such as “similar distance” or “similar convenience,” and that the section cross reference the bulleted goals included in Section 1.3.C.

Jeff noted that 1.3.E Retrofit Projects will also inform the design of scenic roadways. This section provides guidance on how to identify the preferred cross section, and if that does not fit, how to best accommodate all users. Trade-offs are listed roughly in order of preference. Chris asked whether the trade-offs could be included in two different tiers based on preference since agreeing on an order of preference would be difficult.

Larry asked whether land acquisition is a way to get the required width for improvements. Kris replied that the County looks into acquiring land if it is required to complete a project. Tom Auyeung noted that land acquisition is always a problem for capital projects. He noted that the Cedar Lane shared use path project has taken five years to acquire seven out of ten properties necessary. Often, the County is compelled to negotiate with homeowners associations that are not current. They must achieve compliance before the County can even begin negotiations. In other locations the County has waited until a property owner has passed away and heirs were willing to talk to the County.

John Seefried added that land acquisition requires that the amount of property must be identified, as well as the improvements that will be made and the footprint. The County must get an appraisal before they contact the property owner and make an offer based on the percentage of property is required. Then the offer sits. The property owner may not like the improvements being made, or they want a better offer from the County. Often, the County has to work with multiple property owners. One might hold out for more money or additional improvements which requires negotiations. The County is hesitant to go the condemnation route, so it depends on whether people are willing to accept the assessed value. There are often holdouts that take years.

Kris noted that many projects require assistance from the administration or County Council members. The goal is to have conversations with property owners to keep the process moving, but there are situations where no response is received at all. Sometimes, the design is modified to keep the project moving.
Jeff observed that a big difference between the County and State process is the State has a real estate department that handles these issues on a regular basis. Bruce replied that DPW has that capability and noted even at the state level condemnation has been used for cars but not for bicycle or pedestrian projects. The MDOT State Highway Administration (SHA) uses a quick-take process. He noted that the County’s approach depends on the design of the project. Larry mentioned that there are jurisdictions in Maryland with a quick-take process and asked whether it is worth mentioning property acquisition in the Design Manual. Jeff replied that the Design Manual may include details on how the County should proceed if they are unable to procure additional right of way for a project.

Jeff asked whether the County has a mechanism to acquire right-of-way on behalf of private development. Chad replied that he has not seen the County do that work for the developer. Typically, the County requires the developer to send certified mail offering fair market value to the homeowner and the County. Often the initial offer is not sufficient, and the process can take a lot of time.

Kris asked if bike climbing lanes (only needed in the uphill direction) are an option for retrofit projects when there is not sufficient width to consider traditional bike lanes in both directions. Larry agreed that climbing lanes are useful to cyclists. Bruce noted that MDOT SHA has explored incorporating climbing lanes on the MD 32 alternate route along choke points at Ten Oaks. Chris added that if it is a consistent uphill grade, an on-street climbing bike lane can be a reasonable compromise.

Larry asked whether the acquisition process will be included in the Design Manual. Jeff asked where those guidelines are currently listed. Chad replied that DPZ requires certified letters so that they can confirm that the developer made a reasonable offer. Larry asked whether the process is documented. Chad replied it is a standard comment that DPZ issues. Tom added that for capital projects, the Real Estate Division handles negotiations. He noted he would prefer those details not be included in the Design Manual.

Jeff asked that members of the CSIT provide comments on Chapter 1 by Monday, July 19. Kristin clarified that comments on revised Chapter 3 are due on Wednesday, July 14.

**Growth rate discussion for Chapters 4 and 5**

Jeff described the current growth rate provisions in County standards, which is a default growth rate of 3% for the first three years followed by a 6% for the subsequent years. The developer has an option to submit a study to justify a lower growth rate. Some developers choose to do so based on size of the project and the nature of the intersections in the vicinity. In order to determine whether those growth rates are appropriate, the team assembled historic data on traffic volumes from MDOT SHA. About sixty locations that reflect actual traffic counts were analyzed. A typical count is based on a permanent count station or short-duration counts that are extrapolated to estimate the average daily traffic. The methodology accounts for necessary seasonal adjustments. The counts are for 2011 through 2019 for most locations, although a few only begin at 2013. The spreadsheet shows the annual growth rate from the beginning year through 2019.

Jeff noted that there was a lot of variability in the growth rates. Particularly high growth rates, over six percent, are shown in red, and particularly low growth rates are in the negatives, and shown in green. Growth rate can change because of construction or because a specific traffic generator closed. For example, if there is a large business or shopping center with a popular anchor tenant that relocates, traffic volumes may decrease. Similarly, there may be a significant increase in traffic volumes where there is a detour for a construction project or a new large development opens.

Jeff explained that for the analysis, the focus was on averages to get a general picture of traffic volumes across the entire County. A mean and median was calculated after adding up traffic across all the locations to generate a composite number. Comparing locations over time can show what may be a larger countywide growth rate. When a development is considered by the County, the developer must reference three different types of traffic growth above the existing conditions. After the developer looks at counts at an intersection in order to show how the intersection works in terms of level of service (LOS) and delay, the developer adds the level of traffic generated by their development, the impacts of other committed developments in the area, and background growth rate. Background
growth rate is the tendency for traffic to grow across the area and is reflected by the growth rates shown in the spreadsheet.

Chad asked for clarification on which roadways were included in the spreadsheet. Jeff replied the spreadsheet includes a mix of state and county roads, including White Acre Road and Dobbin Road, but most are State roads.

Jeff shared that after initial discussion with staff, it was agreed to eliminate the idea of 6% traffic growth for years four and beyond since it is beyond even most of the outliers in the spreadsheet. Another suggestion is to retain a 3% growth rate as the default but to encourage developers to submit justification for lower growth rates. The last suggestion was to provide a floor to the growth rates, so that it would not go below zero. Some traffic engineers for developers have suggested negative growth rates in the past.

Jennifer White asked whether the goal is to identify a solution during today’s meeting or provide comments after the meeting. Jeff replied that comments will also be accepted after today’s meeting. Jennifer noted that it would be useful to have the proposal in writing to provide comments after the meeting.

Larry shared that other jurisdictions are calling this type of study a multimodal transportation study instead of a traffic study. He noted that he is in favor of lower growth rates for car trips, especially if a developer is doing something to increase accessibility for other modes. If a mixed-use development provides facilities on site, that may keep traffic within the development and reduce volumes outside of the development.

Chris observed that type of traffic would be categorized as trips generated from the site itself and would not be reflected in the background growth rate. He noted there are well established manuals that establish trip generation from a site. If the site is mixed-use it is assumed that fewer trips are made.

Larry asked whether that type of trip generation is mentioned in the Design Manual. Jeff replied that Chapter 5 states that trip generation should be adjusted based on multimodal considerations. Larry replied that he is unsure how that will impact the question of growth rate. Jeff replied that if a site is mixed-use with multimodal accommodations and lots of internal trip capture, the generation of traffic from the site is low. However, other developments in the area must be considered along with background growth, neither of which is dependent on how the subject site is designed. Chris added that background growth is supposed to reflect the future increase in traffic volume on nearby roads and intersections that is not generated by any developments in the vicinity; it driven by general growth in the region.

Jeff shared a comment from Carl Gutschick that was provided via email. When traffic impact studies are performed, counts taken during peak hours, traffic from the development, and other approved developments in the area are all added to background growth rates. Background growth not accounted for in the development and other development in the area is minimal, and likely modeled at approximately one percent. The current values in the Design Manual may have been appropriate when growth was booming, but higher background growth rates encourages the double counting of trips, inflating the final projected traffic, resulting in larger roads/intersections than really required.

Chad replied that he often works with traffic impact studies that use the three percent growth rate, and for comprehensive longer projects the six percent growth rate. He shared he agrees with making changes to the six percent rate, but not the three percent rate. If a developer conducts a study using the three percent rate and they are not required to make improvements, they usually submit the study with that rate because there is no cost savings. If the developer finds that a three percent rate triggers an improvement, they often will put together justification for a lower background growth rate like one percent. The Department of Planning and Zoning (DPZ) and Department of Public Works (DPW) evaluate the justification and throw out any bad data before agreeing to the lower growth rate. Chad noted that Howard County roads are not over designed, and the way the Design Manual is currently worded works. He asked that three percent be included as the background growth rate and ask that developers show how much lower the rate should be. Larger roads do not fluctuate as much, but smaller rural roads have larger fluctuations. The addition of a grocery story can change volumes significantly. Chad also asked for a floor of one to one and a half percent.
Kris shared that staff agrees about eliminating any reference to six percent in the Design Manual. Three percent gives more flexibility to accommodate development that is not counted. When the County goes through the APFO process, the focus is an intersection near the site, but these trips do not vanish past that intersection. Accounting for development alone does not account for pass through trips. For example, more than 35% of trips in downtown Columbia are pass through trips. There could also be development occurring outside of Howard County borders that impacts traffic within the County. If there is a specific development where there is not growth, the developer has the option to submit a request to reconsider a lower growth rate. This option gives the County flexibility to review traffic impacts on a case by case basis.

Chris clarified that the pass through trips are captured by the counts of existing traffic. Kris clarified that a third of traffic counted at a specific location is not directly from that area. Chris asked about the scope and distance developers must consider when accounting for local growth. He asked if it would be worth revisiting in the subdivision regulations which intersections are included in the analysis so that development projects are more accurately responsible for the trips they generate, rather than using an inflated background growth rate. Kris replied that could be considered when discussing changes to the subdivision regulations and APFO.

John Seefried agreed with the proposed growth rates suggested by Kris and Chad. He acknowledged that the concern was overbuilding roadways for vehicular traffic which would take away available space for pedestrian and bicycle improvements. However, if the developer provides an additional lane based on a traffic study, the County can always go back and convert that pavement to something that better serves people walking and bicycling.

Larry asked if there was a way to incentivize the expensive work of moving utilities. John replied that utility relocation is generally taken care of when widening the road.

Jeff noted that one issue is that in some areas wider roads encourage more traffic. If there is congestion on a particular road, people will make travel choices based on that congestion, and may shift their work time or choose to take discretionary trips outside of peak hours which keeps peak hour volumes more manageable. When a road is widened, people stop making those choices and may make different behavioral choices, like driving to lunch instead of packing a lunch. Wider roads tend to create more traffic, which is why there is not much evidence that roads are overbuilt. In most cases if a wider road is built, there is latent demand for the additional volume.

Chad clarified that when discussing wider roads in the context of what DPZ requires, it is in regard to the intersection, not the entire corridor. When an intersection fails it is on the developer to address. There are almost always improvements implemented that would benefit all users, including handicapped ramps, sidewalks, and bike facilities. He asked if anyone was available from Council Member Rigby’s office to discuss constituent complaints about over crowded roadways. No one from her office was in the meeting.

Chris added that the HoCo By Design process included surveys asking a lot of questions about what constituents are looking for from their transportation system. He noted he would see what data is available.

Chris agreed that retrofitting unused or unnecessary road space for other uses sounds good, but in the past that has not been an option. He asked if a road widening was completed by a developer, whether anything prevents using that space for another type of facility. John answered that when the County accepts a fee simple dedication of roadway it becomes County right of way and they have full control of it, including dry utility installations that the County permits.

Jeff noted that he would distribute potential text for revision to the growth rates to the group and will request comments by Monday, July 19.

**Upcoming schedule**

Jeff shared that there have been several internal conversations regarding the upcoming schedule. The Complete Streets policy notes that the updated Design Manual should be submitted to County Council in October. That schedule would require outreach to occur within the September time frame. At this point, the CSIT has received four
out of five draft chapters in some draft form. Chapter 2 is under development for review by staff and it will be distributed to the CSIT as soon as possible. There will continue to be discussions among the CSIT on draft content, and comments will be addressed as quickly as possible. Once a specific schedule is in place that addresses public outreach and necessary lead times it will be shared with the CSIT.

Jennifer asked whether there would be another opportunity for the CSIT to review Chapters 4 and 5, and whether the CSIT would be able to review the Design Manual in its entirety before it is released to the public. Jeff replied that the CSIT will have the opportunity to review revised Chapters 4 and 5. As discussed, Chapter 4 will not have many changes since it requires changes to the subdivision regulations which will be completed after Design Manual changes are adopted. The CSIT will also have the chance to review a complete draft before anything is released to the public. There may not be time for the CSIT to review the final draft that incorporates CSIT comments before it is released for public comment. Jennifer asked whether the CSIT will receive a more refined schedule with key dates. Jeff replied that that schedule is under development. Dates need to be scheduled for public outreach as well as the Multimodal Transportation Board meeting and Public Works Board meeting. The prefile date for County Council must also be established.

Larry commented that he was under the impression that changes to Chapter 4 were limited by the APFO process, not the development regulations. Jeff replied both the APFO process and development regulations are linked to revisions to Chapter 4, and both need to be updated. Bruce responded that updates may require two separate processes depending on the timing of updates to the general plan.

Next Steps

Action items from this meeting include:

- Review Chapter 1 of the Design Manual by Friday, July 16

The next CSIT meeting is scheduled for Wednesday, August 4 at 3:00 pm.

Leah Kacanda, AICP