

II. CRITERIA FOR SCREENING CASES FOR LOCAL AREA TRANSPORTATION REVIEW

In cases where an LATR is required a traffic study must be filed as a part of the development submittal. Transportation planning staff will review the traffic statement and/or traffic study. If staff determines that a traffic study is necessary, but one was not submitted with the filed application, the application will not be considered complete until a traffic study is submitted. Figure 2 is an example of a checklist used by staff for determining the completeness of a traffic study. Any modifications in the analysis identified by staff's review are the responsibility of the applicant, after appropriate oral and/or written notice of the issues identified or change(s) required.

Staff will determine the acceptability of the conclusions and recommendations of a traffic study in consultation with the applicant, the Montgomery County Department of Transportation (MCDOT), the Maryland State Highway Authority (SHA), and community representatives. MCDOT and SHA have 30 working days to review an approved study and comment on the feasibility of the recommendations, but the staff will work with the applicant to obtain comments from SHA and MCDOT and transmit them to Transportation Planning staff four weeks prior to a scheduled Planning Board hearing. As long as a traffic study is determined to be complete, staff will consider the date of receipt as the completion date. Once a traffic study has been found to be complete, staff will notify the applicant in writing within 15 working days and, by copy of that letter, inform representatives of nearby community and/or business groups or associations. Traffic studies area available for public review from the application general file. Copies can be made by the public or requested from the applicant and their consultant. A digital copy (in .PDF format) will also be made available, with an electronic link provided in the Commission's Development Activity Information Center (DAIC).

A. Significantly Sized Project

The proposed development must be of sufficient size to have a measurable traffic impact on a specific local area to be considered in a local area transportation review. Measurable traffic impact is defined as a development that generates 30 or more total (i.e., existing, new, pass-by and diverted) weekday trips during the peak hour of the morning (6:30 a.m. to 9:30 a.m.) and/or evening (4:00 p.m. to 7:00 p.m.) peak period of adjacent roadway traffic.

Figure 2
Checklist for Determining the Completeness of Traffic Studies

Transportation Review Checklist Development Name:	Plan Stage/Plan No.:
Transportation Review Type: <ol style="list-style-type: none"> 1. Traffic Statement describing exemption from both LATR and PAMR studies 2. Traffic Study for LATR including traffic statement regarding PAMR exemption 3. Traffic Study for PAMR including statement regarding LATR exemption 4. Traffic Study for Both LATR and PAMR 	
Traffic study submitted/ Receipt date:	
Contact information of licensed or certified person who prepared it	
Are traffic counts acceptable? (i.e., within one year of submittal, when school in session, not widely variant from other counts on file)?	
Is there a qualitative statement of conditions under which the counts were taken?	
Electronic copy of traffic counts received? Receipt date:	
Does study follow LATR/PAMR Guidelines, the traffic study scope letter, and generally accepted transportation planning principles?	
<ul style="list-style-type: none"> • Does study reflect latest submitted plan and land uses? 	
<ul style="list-style-type: none"> • Is existing traffic condition presented accurately in the traffic study? 	
<ul style="list-style-type: none"> • Are pipeline developments adequately represented? 	
<ul style="list-style-type: none"> • Are background (no-build) traffic conditions appropriate? 	
<ul style="list-style-type: none"> • Is site trip generation according to LATR/PAMR requirements? 	
<ul style="list-style-type: none"> • Are assumptions for % new, %diverted, and %pass-by acceptable? 	
<ul style="list-style-type: none"> • Does site trip distribution match LATR/PAMR guidance? 	
<ul style="list-style-type: none"> • Is site trip assignment acceptable? 	
<ul style="list-style-type: none"> • Are Policy Area congestion standards, lane configurations, lane factors, and CLV calculations in the traffic study acceptable? 	
<ul style="list-style-type: none"> • Are intersection/roadway improvement(s) identified in the traffic study acceptable? 	
<ul style="list-style-type: none"> • Is the Pedestrian Impact Statement acceptable? 	
<ul style="list-style-type: none"> • Are necessary Trip Reduction measure(s) identified in the traffic study? 	
<ul style="list-style-type: none"> • What percentage of trips need to be reduced/mitigated? 	
<ul style="list-style-type: none"> • Are Trip Reduction measures identified in the traffic study acceptable? 	

The following criteria shall be used to determine if a proposed development will generate 30 or more weekday peak hour trips:

- 1a.** For office or residential development, all peak hour trips are to be counted even if, as part of the analysis, some of the trips will be classified as pass-by trips or trips diverted to the site from existing traffic.

- 1b.** For retail development, pass-by trips are to be included in establishing the 30-vehicle threshold requiring a traffic study, but not used for evaluating critical lane volume (CLV) measurement, as the trips are already on the network. They shall also be used for designing site access and circulation.
- 2.** All land at one location within the County, including existing development on a parcel that is being modified or expanded or land available for development under common ownership or control by an applicant, including that land owned or controlled by separate corporations in which any stockholder (or family of the stockholder) owns 10 percent or more of the stock, shall be included. Staff shall exercise their professional judgment in consultation with the applicant in determining the appropriate land area to consider. Parcels separated by unbuilt roadways or local subdivision streets remain “land at one location” but parcels separated by business district streets, arterial roadways, major highways, or freeways cease to be “land at one location” even if still in common ownership.

For any subdivision that would generate 30-49 weekday peak hour vehicle trips, the Planning Board, after receiving a traffic study, must require that either all LATR requirements are met or the applicant must make an additional payment equal to 50 percent of the applicable transportation impact tax before it receives any building permit in the subdivision.

In certain circumstances, Transportation planning staff may, in consultation with the applicant, require analysis of traffic conditions during a different three-hour weekday peak period for example, 6 a.m. to 9 a.m. or 3:30 p.m. to 6:30 p.m., to reflect the location or trip-generation characteristics of the site, existing conditions, or background development as generators of traffic.

The number of trips shall be calculated using the following sources:

- 1.** For all land uses in the Silver Spring, Bethesda, or Friendship Heights CBD Policy Areas, use the trip generation rates in Appendix C, Tables C-1 or C-2.
- 2.** For all other parts of the county:
 - a. For general office, general retail, residential, fast food restaurant, private school, child day-care center, automobile filling station, senior/elderly housing, or mini-warehouse, use the formulas provided in Appendix A and the tables provided in Appendix B.
 - b. For other land uses, use the latest edition of the *Trip Generation Report* published by the Institute of Transportation Engineers (ITE).

For some specialized land uses, appropriate published trip-generation rates may not be available. In such cases, staff may request that determining rates for these land uses be a part of the traffic study. If special rates are to be used, staff must approve them prior to submission of the traffic study.

An applicant shall not avoid the intent of this requirement by submitting piecemeal applications or approval requests for zoning, subdivision, special exception, mandatory referral, or building permits. However, an applicant may submit a preliminary plan of subdivision for less than 30 peak hour trips at any one time provided the applicant agrees in writing that, upon filing future applications, the applicant will comply with the requirements of the LATR Guidelines when the total number of site-generated peak hour vehicle trips at one location has reached 30 or more. Then, a traffic study will be required to evaluate the impact of the total number of site-generated trips in accordance with the LATR Guidelines.

If use and occupancy permits for at least 75 percent of the originally approved development were issued more than 12 years before the LATR study scope request, the number of signalized intersections in the study will be based on the increased number of peak hour trips rather than the total number of peak hour trips. In these cases, an LATR study is not required for any expansion that generates five or fewer additional peak hour trips.

Transportation Planning staff may elect to waive these criteria if the development results in no net increase in weekday peak-hour trips.

B. Congestion Standards

Critical lane volume standards adopted by policy area in the most recent Growth Policy are shown in Table 1. Transportation Planning staff maintains an inventory of intersection traffic data based on traffic counts collected by MCDOT, SHA, and private traffic consultants to provide applicants with a preliminary assessment of conditions in the vicinity of a proposed development.

C. Exceptions to the General Guidelines

There are several exceptions or additions to the general LATR process:

1. Potomac Policy Area: Only developments that staff consider will impact any of the following intersections will be subject to LATR: a) Montrose Road and Seven Locks Road, b) Democracy Boulevard and Seven Locks Road, c) Tuckerman Lane and Seven Locks Road, d) Bradley Boulevard and Seven Locks Road, e) Democracy Boulevard and Westlake Drive, f) Westlake Drive and Westlake Terrace, g) Westlake Drive and Tuckerman Lane, h) River Road and Bradley Boulevard, i) River Road and Piney Meetinghouse Road, and j) River Road and Seven Locks Road. No other intersections are to be studied.
- 2a. Metro Station Policy Areas: Bethesda CBD, Friendship Heights CBD, Glenmont, Grosvenor, Shady Grove, Silver Spring CBD, Twinbrook, Wheaton CBD, and White Flint. The congestion standard for these areas is a CLV of 1800 (see Table 1) and development within these areas is eligible for the Growth Policy's Alternative Review Procedure. This procedure allows a developer to meet LATR requirements by 1) agreeing in a contract with the Planning Board and the MCDOT to make a payment as designated in the Growth Policy, 2) participating in and supporting a Transportation Management Organization (TMO) if and when one exists, 3) mitigating 50 percent of their total weekday morning and evening peak hour trips, and 4) conducting a traffic study to identify intersection improvements and/or trip mitigation measures that would have been required. Both residential and non-residential projects are eligible for the alternative review.

These guidelines define 50 percent mitigation of total weekday morning and evening peak-hour trips for the Alternate Review Procedure as follows. For non-mitigated trips the total number of vehicle trips generated based on County-wide average trip generation rates (or national trip generation rates from ITE or comparable sources for land uses not included in the Guideline appendices).

To calculate mitigated trips for the Alternate Review Procedure or to meet LATR/PAMR the applicant must explicitly document the conversion between person-trips and vehicle trips to account for transit use, vehicle occupancy, walk/bike use, internal site trip capture, and

telecommute options. The estimates should document the effect of home-based work trips separately from all other trips. Special trip rates in the appendices, such as for office uses within 1,000 feet of Metrorail stations outside the Beltway, or rates for any uses within the Bethesda, Silver Spring, and Friendship Heights CBDs should not be used in either non-mitigated or mitigated trip calculations. Countywide rates found in Appendix A and B are allowed, otherwise calculation rates and procedures recommended in documents published by the ITE or the TRB must be applied and referenced for staff to consider the quantification of any trip reduction proposal.

- 2b.** Development in MSPAs will be reviewed in accordance with Section V of the Guidelines. These procedures provide specific criteria to satisfy the general guidelines included in the Growth Policy.
- 3.** Area-specific trip generation rates have been developed for the Bethesda, Friendship Heights, and Silver Spring CBDs (see Appendix C).