Anne Arundel County

BICYCLE, PEDESTRIAN, TRANSIT ASSESSMENT GUIDELINES

December 2018
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I. EXECUTIVE SUMMARY

Based on a growing desire by Anne Arundel County (the County) residents and commuters to increase alternative, active transportation and mobility, as well as decrease motorized vehicle congestion, the County Council approved Bill 78-18 (the Bill) on October 1, 2018 and it was signed by the County Executive on October 9, 2018. The Bill is a response to recommendations in previous plans and initiatives to update the subdivision and development regulations (Articles 17 and 18) to better incorporate consideration for all modes of transportation during the development process.

The purpose of Bill 78-18 is to enhance the subdivision and site development regulations to ensure that all modes of transportation, not just motorized vehicles, are equally considered for the road and site design during the subdivision and site development process. A key component of the legislation provides that in addition to the existing on-site and frontage improvements pertaining to road and sidewalk construction requirements in the Code and Design Manual, additional facilities shall be provided that connect to, or broaden, the existing bicycle, pedestrian, and transit networks. The Bill established a set of criteria that regulate these improvements, including a cost cap to the developer and the establishment of a fee-in-lieu option.

The Guidelines provide direction to applicants of subdivisions and site development plans on the process of meeting the requirements of the Bill. The Guidelines provide details regarding the pre-submittal scoping meeting requirements, the Bicycle, Pedestrian, Transit Assessment, and the conditions for approval. The County’s agencies will work collaboratively with the development community to derive sound and sustainable active transportation opportunities to increase the multimodal network. It is an opportunity to work together to decrease traffic congestion, promote healthier lifestyles, contribute to protection of the environment, and create a safer multimodal transportation network comfortable for all users. Questions regarding the contents of these Guidelines should be directed to the Office of Transportation.
II. WHEN IS A BICYCLE, PEDESTRIAN, TRANSIT ASSESSMENT (BPTA) REQUIRED?

A BPTA is required for all development applications, or, with a Modification application that requests to skip the development review process, and proceed directly to grading permit.

There are some exemptions to the requirement to submit a BPTA. In these cases, the applicant may choose to do an assessment, or they may elect to pay a fee-in-lieu equal to the amounts shown in Article 17, Section 11-101. Development projects subject to these exemptions include:

- Subdivisions of five or fewer dwelling units;
- Non-residential developments comprising less than 5,000 enclosed square feet, other than warehouses; and
- Warehouse developments comprising less than 15,000 enclosed square feet.

III. PRE-SUBMITTAL SCOPING MEETING

Prior to submitting a development application, the applicant will schedule a scoping meeting with the Office of Transportation. The purpose of the meeting is to discuss the proposed development, existing conditions within a mile of the subject property, and potential improvements to address the requirements of Section 6-113. In an effort to come to early consensus on the proposed improvements, much of the information required to complete the BPTA will be discussed, making for a smooth and complete BPTA submittal.

The following describes the items the applicant should bring to the meeting and/or topics to be discussed:

1. Tax Map, Block, and Parcel and project address if available.
2. Project description (existing and proposed uses).
3. Number of residential units x $330.
4. Gross floor area of non-residential uses, other than warehouses x $0.40.
5. Gross floor area of non-residential warehouse x $0.11.
6. A location map showing the location of the proposed development, with a one mile radius buffer shown. Specifically, the map shall show the following:
   a. **Destinations/Trip generators.** The map should show any major sites, destinations, and trip generators within one mile of the property, including, but not limited to: transit stops, public facilities (e.g., schools, libraries, parks, post offices, etc.), recreational facilities, trails, large commercial/retail centers, hospitals and other medical facilities, and large employment centers, and any other relevant information, such as environmental constraints. Make note of any that are listed in the 2013 PBMP Update, List of Pedestrian/Bicycle Attractors.
   b. **Existing and planned/programmed pedestrian, bicycle, and transit** conditions shall be shown and identified in a legend. This data is available within the Bike and Sidewalk GIS data files available at the County web page: [https://www.aacounty.org/county-maps/index.html](https://www.aacounty.org/county-maps/index.html). It represents projects identified in the County Pedestrian and Bicycle Master Plan, as well as those within the State’s Plan for Bicycle Routes.
6. A draft plan that shows the onsite transportation related improvements for the proposed development. The purpose is to evaluate the improvements to ensure the selection of an improvement, whether onsite or offsite, intended to meet the requirements of Section 6-113 are compatible, and consistent with, expanding the bicycle, pedestrian, or transit network.

7. If identified, an exhibit of a potential improvement(s) to meet the requirement of Article 17, Section 6-113.

The results of the scoping meeting shall be documented in a Scoping Agreement (Appendix F). If the scope changes during the review process, the changes will be addressed in a County review or approval letter from the Office of Transportation.

IV. CONTENTS OF THE BICYCLE, PEDESTRIAN, TRANSIT ASSESSMENT (BPTA) SUBMITTAL PACKAGE

The applicant will prepare and submit a BPTA Package with the first development application for a project. The BPTA Package shall contain all information necessary to identify the existing bicycle, pedestrian, and transit related conditions within one mile of the subject property, and the on- or off-site proposed facilities as discussed at the scoping meeting. It should contain the following:

A. Map. The applicant shall include a final version of the map produced for the scoping meeting that identifies the existing bicycle, pedestrian, and transit conditions and future planned projects. *Note: It may be necessary to field verify information that affects the decision regarding a proposed offsite improvement to meet Section 6-113.*

B. Exhibit. An exhibit that shows the proposed improvement intended to meet the requirements of Section 17-6-113.

C. BPTA Worksheet. The BPTA Worksheet (Appendix A) contains a list of questions that expands upon and describes what is shown on the map. The Worksheet is available as both a Word document, or a fillable PDF form, at the Transportation Web Page at the following location: [https://www.aacounty.org/departments/transportation/forms-and-publications/index.html](https://www.aacounty.org/departments/transportation/forms-and-publications/index.html). The Worksheet includes answers to questions that will describe characteristics of the existing offsite conditions and attractors, such as size of retail centers or population densities that may generate more or less need for bicycle, pedestrian, or transit infrastructure. It will also describe potential opportunities and an analysis of proposed transportation related improvements as it pertains to the site. The worksheet is separated into the following sections:

1. **General Site Information.** Section I requests basic information related to the site, such as project name and address as we provides a place to identify the basics of the site and how it relates to the surrounding land uses.

2. **Site Context.** Section II requests information about the land use and character surrounding the site, road classifications and speeds, and the general conditions on the surrounding road network that may contribute to a level of comfort for bicyclists and pedestrians, such as presence or lack of buffers, etc.

3. **Off-Site Assessment/Opportunities.** Section III identifies an inventory of existing BPT related infrastructure and land uses within one mile of the subject site. This Section should expand on the contents of the map and describe the trip generators and attractors and travel patterns and conditions. This section should describe the relationship between the improvement intended to meet Article 17, Section 6-113 and the surrounding network.
4. **On-site Assessment/Opportunities.** A description of onsite improvements shall be completed.

5. **Assessment Conclusions.** The applicant should provide a description and location of the recommended improvement intended to meet the requirements of Section 17-6-113. Provide a cost analysis per 17-6-113(d).

D. **Cost Estimate.** Include a cost estimate for the proposed BPTA improvements.

V. **SUBMITTAL PROCESS/REQUIREMENTS**

A. The BPTA Package shall be submitted with the first submittal of a development application, for which APF for roads is being tested. (Note: If a Modification to skip a process is being requested, the applicant shall submit a BPTA with the Modification request.) The BPTA shall be included with the Transportation review package.

B. The following note shall be placed on Final Plan and Plat cover sheet:

   In accordance with Article 17-6-113, a BPTA was approved by the Office of Transportation on _________ and the following improvements shown on Sheet ______ of this plan set meet the requirement for a BPT improvement above and beyond any other site design requirements of this Code.

   Should the Planning and Zoning Officer provide a finding that the fee-in-lieu is appropriate, per the Office of Planning and Zoning, it must be paid prior to Final Plan approval. The following note shall be placed on the Final Plan and Plat cover sheet:

   Per Article 17-6-113(e)(1), a fee-in-lieu of providing Bicycle, Pedestrian, and Transit improvements intended to meet the requirements of 17-6-113(b), in the amount of $____________ was paid on _____, by receipt number ____________.

C. The engineered plan set shall include a separate sheet dedicated to showing the improvement intended to meet the requirements of Section 6-113. All improvements located within public right of way shall be included in the public works agreement and also shown on a separate BPT plan sheet. **At the discretion of Inspections and Permits,** if public plans are not otherwise required, the offsite improvements may be shown on the grading permit and included as a separate line item in the grading and sediment control bond.

D. Prior to the approval of the Site Development or Final Plan (or grading permit in the absence of these), the proposed offsite improvements and a cost estimate for the work, must be approved by the Office of Transportation. Provide the cost estimate with the final submittal of the BPTA package. The Office of Transportation will include acknowledgement of an approval of the proposed improvements intended to meet the requirements of Section 17-6-113, in the development review comment memorandum to OPZ.

E. If the applicant is permitted to pay a fee-in-lieu, the fee must be paid prior to public plan or Final Plan approval and the receipt number identified on the plan and plat cover sheet.
APPENDIX A – BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT WORKSHEET

I. GENERAL INFORMATION

A. Project name: ______________________________

B. Subdivision/Site Development Plan/Grading Permit Name and Number:
_______________________________________________________________________
_______________________________________________________________________

C. Project address:

D. Project description (existing and proposed uses):

E. Number of residential units x $330:

F. Gross floor area of non-residential uses, other than warehouses x $0.40:

G. Gross floor area of non-residential warehouse x $0.11:

II. SITE CONTEXT

A. Identify existing and proposed road classifications and posted speeds within one mile of the subject property.

B. Land Use and Character: Describe the character of the project area, including predominant land uses, densities, scenic and historic roads, Town Centers, Business Districts, environmental features or constraints. Describe the compatibility of the proposed design intended to meet Article 17, Section 6-113 with these characteristics.

C. Attach all applicable maps, background information, and exhibits to this Assessment.

II. OFF-SITE ASSESSMENT/OPPORTUNITIES

A. Trip Generators and Attractors: List any major sites, destinations, and trip generators within one mile of the project area, including: transit stops; public facilities (e.g. schools, Libraries, parks or post offices); cultural facilities; retail and employment centers. Per County Code Article 17, Section 2-102(3), describe how the site design will provide for the proper and safe arrangement and connectivity of multi-modal transportation infrastructure in relation to those existing or planned and to provide for the most beneficial relationship between the use of land,
buildings, traffic, and multi-modal transportation. Make note of any listed on Page 47 of the PBMP 2013 Update.

B. Travel Patterns and Conditions: Describe existing and desired walking, bicycling, transit, within the project area, including whether or not the surrounding network or roads are future projects in County plans and/or studies. Identify existing sidewalks, shared use paths, and bicycle lanes as well as “worn paths” which indicate a desired walking route. Plans to reference include, but may not be limited to, the 2003 Pedestrian and Bicycle Master Plan (PBMP), the PBMP 2013 Update, the General Development Plan, the Transportation Functional Master Plan, the Small Area Plans, and projects approved in the current CIP.

C. Opportunities: Identify opportunities to address safety, mobility, and access within one mile of the subject site. Provide an exhibit that shows any offsite improvement proposed to meet the requirements of Article 17, Section 113.

III. ON SITE ASSESSMENT/OPPORTUNITIES

A. General:

1. Per County Code Section 17-6-103(i), describe how public roads within a proposed subdivision have been designed to enhance multimodal transportation options.

2. Per County Code Section 17-6-103(j), describe how private roads have been designed to encourage opportunities for multi-modal transportation connections.

3. Does the right-of-way dedication provide sufficient space for the pedestrian and bicycle facilities required in the DPW Design Manual?

4. Describe how the roads have been designed to comply with County Code Section 17-6-103(c) and provide connections between subdivisions of similar zoning and use.

5. For development within the Odenton Town Center, describe how the requirements regarding multimodal transportation infrastructure are being met.

B. Pedestrian Facilities – (Please provide an explanation if a requirement isn’t met)

1. Per the County Design Manual, describe how the site provides adequate clear sidewalk widths along street frontages (minimum of 5 feet of clear sidewalk width required per the Design Manual) and ADA compliant curb ramps?

2. Per the County Design Manual, does the design provide recommended buffer between pedestrians and traffic?

3. Does the design include pedestrian facilities and designated crossings that provide direct connections to destinations?

4. Describe how pedestrian facilities provide for internal site circulation (e.g., walkways along and between buildings, walkways through parking lots to buildings, designated crossings of drive aisles).
5. Describe where walkway lighting and/or continuous street lighting that meets or exceeds County standards is provided.

6. Does the design minimize vehicle intrusions into the pedestrian zone (e.g., driveways, loading zones, bus or vehicle pull outs)?

7. Per the County Code, Article 17, Section 5-503(b), is the block length and width adequate to provide convenient access, circulation, and safety for pedestrian circulation? Provide the block length and width. There is no standard for this, however, typical safety

8. Are marked crosswalks and/or other crossing improvements provided at appropriate locations?

C. Bicycle Facilities – (Please provide an explanation if a requirement isn’t met):

1. Per County Code Section 17-6-111(j), are bikeways and/or shared use paths that support the objectives of bicycle, pedestrian, and transit infrastructure and connectivity to existing, planned, or future offsite infrastructure, and are in public easement, shown?

2. Include bicycle facilities identified in adopted plans.

3. For on road bicycle lanes, is adequate type/width per nationally recognized standards including those identified in the AASHTO Guide for the Development of Bicycle Facilities (2012 Edition) and the NACTO Urban Bikeway Design Guide provided?

4. Is bicycle parking provided?

D. Transit Facilities – (Please provide an explanation if a requirement isn’t met):

1. Are transit enhancements in the design (e.g., bus shelter, bus or intermodal transfer stop, park-and-ride facility, bus stop pad or pull-out) provided?

2. Is lighting at on-site transit stops that meets or exceeds County standards provided?

3. Is ADA compliant landing pads at on-site transit stops provided?

4. Is a space for passengers to wait for and board transit vehicles that are separate from the walkway at the on-site stops provided?

III. BPTA CONCLUSIONS

1. Describe the recommended improvement to meet the requirements of Section 17-6-113.

2. Provide the cost analysis per 17-6-113(D).

3. If the developer is seeking additional funding from the County’s Multimodal Infrastructure Fee-in-lieu Fund, please indicate an amount here.
APPENDIX B – DEFINITIONS

**Bicycle facilities** - A general term denoting improvements and provisions to accommodate or encourage bicycling, including parking and storage facilities, and shared roadways not specifically defined for bicycle use.

**Bicycle Lane or Bike Lane** - A portion of the roadway, designated for preferential or exclusive use by bicyclists by pavement markings and, if used, signs. This also includes buffered bike lanes, which are bike lanes with an additional painted separated from travel lanes that can also be used between parked cars. Bike lanes are typically located on the right side of vehicular travel lanes and general run in the same direction as vehicular traffic, except for contraflow bike lanes, which travel in the opposite direction of traffic. Bike lanes do not have physical barriers of separation from vehicles other than paint.

**Bicycle Network** - A system of bikeways designated by the jurisdiction having authority. This system may include bike lanes, bicycle routes, shared use paths, and other identifiable bicycle facilities.

**Bicycle Route** – A roadway or bikeway designated by the jurisdiction having authority, either with a unique route designation or with Bike Route signs, along which bicycle guide signs may provide directional and distance information. Signs that establish directional, distance, and destination information for bicyclists do not necessarily establish a bicycle route.

**Bikeway** - A general term for any road, street, path, or way which in some manner is specifically designated for bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are to be shared with other transportation modes.

**Furniture Zone** – According to the NACTO Urban Street Design Guide, the furniture zone is the section of the sidewalk between the curb and the through zone in which street furniture and amenities, such as lighting, benches, newspaper kiosks, utility poles, tree pits, and bicycle parking are provided. The furniture zone may also consist of green infrastructure elements, such as rain gardens or flow-through planters.

**Off-Site Improvement** – For the purposes of these Guidelines, off-site improvements means a bicycle, pedestrian, or transit related improvement that is meant to meet the requirement of Article 17, Section 6-113 and is above and beyond any required on-site or road frontage improvements found elsewhere in the County Code.

**Road User** – A motorized vehicle operator, bicyclist, or pedestrian within the highway, including persons with disabilities.

**Roadway** – That portion of a highway, including shoulders, intended for vehicular use.

**Separated Bike Lanes** – An exclusive facility for bicyclists, also called a “cycle track” or “protected bike lanes,” that is located within, or directly adjacent to, the roadway and that is physically separated from motor vehicle traffic with a vertical element.
Shared Lane – A lane of a traveled way that is open to both bicycle and motor vehicle travel. Shared lanes can be established with either signs or pavement markings.

Sharrow – A type of pavement marking indicating that a travel lane is to be shared by vehicles and bicycles.

Shared Use Path – A bikeway physically, that can also be a trail, separated from motor vehicle traffic by an open space or barrier and either within the highway right-of-way or within an independent right-of-way. Shared use paths may also be used by pedestrians, skaters, wheelchair users, joggers, and other non-motorized users and are usually designed for two-way travel.

Side Path – A shared use path located immediately adjacent and parallel to a roadway.

Shoulder – The portion of the roadway contiguous with the traveled way that accommodates stopped vehicles, emergency use, and lateral support of subbase, base, and surface courses.
APPENDIX C - BICYCLE, PEDESTRIAN, TRANSIT CHECKLIST

Level of Service as Determined with TIS:
- Pedestrian
- Bicycle
- Transit

BPTA Infrastructure Inventory W/In One Mile:

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<th>Comments (Condition? Width? Buffered?)</th>
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APPENDIX D – EXAMPLES OF ENHANCEMENTS

Buffered Sidewalk should replace worn paths that show desired walking locations.
Design for ADA Accessibility – adequate width around obstacles and elevated sidewalk at driveways
Transit stop cut out should encourage slow turns

Bus Shelters best placed in “Furniture Zone”
Shared Lane Markings, or “Sharrows,” are used to indicate a shared lane environment for bicycles and automobiles. These should most often be used on low speed roads, where space constraints may be present.

Buffered Bike Lanes: Conventional bicycle lanes paired with a painted designated buffer, characterized by two vertical lines and hatching. This image shows a buffer to both the automobile travel lanes and the parked cars.
Separated Bike Lanes: Separated bike lanes are similar to buffered bike lanes except that they are characterized by some sort of vertical barrier, such as bollards, planters, or even parked cars.
APPENDIX E

BILL 78-18
COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2018, Legislative Day No.

34 Bill No. 78-18

Introduced by Mr. Peroutka,
Chairman (by request of the County Executive) and by Mr. Trumbauer

By the County Council, July 16, 2018

Introduced and first read on July 16, 2018
Public Hearing set for and held on September 17, 2018
Public Hearing on AMENDED bill set for and held on October 1, 2018
Bill Expires October 19, 2018

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

AN ORDINANCE concerning: Subdivision and Development – Roads – Multi-Modal Transportation

FOR the purpose of adding a multi-modal transportation component to County subdivision and development policies and processes; defining certain terms; amending County subdivision and development procedures to include bicycle, pedestrian, and transit assessment; exempting certain subdivisions and developments from the requirement of a bicycle, pedestrian, and transit assessment; amending provisions for mitigation of adequate public facilities to ensure compatibility with multi-modal transportation infrastructure; amending the road design provisions to include multi-modal transportation options; permitting shared-use paths to satisfy certain open space and
recreation area requirements; adding the design requirements for bikeways and shared-use paths; adding provisions for bicycle, pedestrian, and transit infrastructure in subdivision and development; providing cost caps and fee-in-lieu options for certain bicycle, pedestrian, and transit infrastructure requirements; providing for the application of this Ordinance; and generally relating to subdivision and development.

BY renumbering: §§ 17-1-101(5) through (91) to be 17-1-101(7) through (96), respectively; and 17-4-202(c)(8) through (17) to be 17-4-202(c)(9) through (18), respectively

EXPLANATION: CAPITALS indicate new matter added to existing law. [Brackets] indicate matter stricken from existing law.

Captions and taglines in bold in this bill are catchwords and are not law. Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged. Underlining indicates amendments to bill.

Strikeover indicates matter stricken from bill by amendment.

Anne Arundel County Code (2005, as amended)

BY adding: §§ 17-1-101(5), (6), (65), (66) and (84); 17-3-20l(d); 17-3-30l(d); 17-4-20l(c); 17-4-202(c)(8) and (d); 17-6-111(j); and 17-6-113

Anne Arundel County Code (2005, as amended)

BY repealing and reenacting, with amendments: §§ 17-2-102(3), (10), and (11); 17-3-201(b) and (c); 17-3-301(c); 17-3-403(a); 17-5-901(a) and (h); 17-5-902; 17-6-103(i)(l) and (j); 17-6-111(c), (d), (e), and (h); and 17-11-101

Anne Arundel County Code (2005, as amended)

SECTION 1. Be it enacted by the County Council of Anne Arundel County, Maryland, That §§ 17-1-101(5) through (91); and 17-4-202(c)(8) through (17) of the Anne Arundel County Code (2005, as amended) are hereby renumbered to be §§ 17-1-101(7) through (96); and 17-4-202(c)(9) through (18), respectively.

SECTION 2. And be it further enacted, That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
ARTICLE 17. SUBDIVISION AND DEVELOPMENT

TITLE 1. DEFINITIONS


Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, the definitions of words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(5) "BICYCLE PEDESTRIAN AND TRANSIT INFRASTRUCTURE" MEANS BIKEWAYS, SHARED-USE PATHS, SIDEWALKS, TRANSIT STOPS, TRANSIT STATIONS, AND OTHER INFRASTRUCTURE THAT SUPPORTS BICYCLE AND PEDESTRIAN TRANSPORTATION.

(6) "BIKEWAY" MEANS ANY ROAD, STREET, PATH, OR WAY WHICH IN SOME MANNER IS SPECIFICALLY DESIGNATED FOR BICYCLE TRAVEL, REGARDLESS OF WHETHER SUCH FACILITIES ARE DESIGNATED FOR THE EXCLUSIVE USE OF BICYCLES OR ARE TO BE SHARED WITH OTHER TRANSPORTATION MODES.

(65) "MULTI-MODAL TRANSPORTATION" MEANS ANY MODE OF PUBLIC OR PRIVATE MOBILITY, INCLUDING MOTORIZED TRANSPORTATION, BICYCLING, WALKING, OR ANY COMBINATION THEREOF.

(66) "MULTI-MODAL TRANSPORTATION INFRASTRUCTURE" MEANS ROADS, BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE, AND OTHER INFRASTRUCTURE THAT SUPPORTS MULTI-MODAL TRANSPORTATION.

(84) "SHARED-USE PATH" MEANS A BIKEWAY THAT CAN ALSO BE A TRAIL, WHICH IS PHYSICALLY SEPARATED FROM MOTOR VEHICLE TRAFFIC BY AN OPEN SPACE OR BARRIER, AND IS EITHER WITHIN THE PUBLIC RIGHT-OF-WAY OR EASEMENT. SHARED-USE PATHS MAY ALSO BE USED BY PEDESTRIANS, SKATERS, WHEELCHAIR USERS, JOGGERS, AND OTHER NON-MOTORIZED USERS, AND MOTORIZED USERS ONLY AS PERMITTED IN THIS CODE AND IN STATE CODE, AND MAY BE DESIGNED FOR TWO-WAY TRAVEL.

TITLE 2. GENERAL PROVISIONS

17-2-102. Policy.

The policy of the County is to:
(3) provide for the proper AND SAFE arrangement AND CONNECTIVITY of [roads] MULTI-MODAL TRANSPORTATION INFRASTRUCTURE in relation to those existing or planned and to provide for the most beneficial relationship between the use of land, buildings, traffic, and [pedestrian movements] MULTI-MODAL TRANSPORTATION;

(10) ensure that existing and proposed public improvements conform with and are related to the proposals shown AND RECOMMENDATIONS CONTAINED in the CURRENT General Development Plan, Capital Improvement Program, AND OTHER TRANSPORTATION OR MASTER development PLANS OR programs ADOPTED BY [of] the County; and

(11) supplement and facilitate the enforcement of the provisions and standards contained in Article 15 of this Code, Article 18 of this Code, the RECOMMENDATIONS CONTAINED IN THE CURRENT General Development Plan, Capital Improvement Program, AND OTHER TRANSPORTATION OR DEVELOPMENT PLANS OR PROGRAMS ADOPTED BY Anne Arundel County.

TITLE 3. SUBDIVISION

17-3-201. Sketch plan application.

(b) Contents. A sketch plan shall be on a 24" x 36" sheet at a scale that is no smaller than 1" = 100' and shall contain all information required by the Office of Planning and Zoning, including attachments appearing on the current sketch plan checklist maintained by the Office of Planning and Zoning. The sketch plan shall show the initial location of all development, including MULTI-MODAL TRANSPORTATION INFRASTRUCTURE, roads, buildings, parking, stormwater management, and utilities, identify conservation and environmentally sensitive areas, and provide other information required by the Office of Planning and Zoning to clearly identify areas on the site that are suitable for development.

(c) Attachments. A sketch plan shall be accompanied by all information required by the Office of Planning and Zoning and the Department of Inspections and Permits, including to the extent applicable:

(1) a sketch plan showing an initial location of stormwater management, utilities, forest conservation area, and any other pertinent information requested by the Office of Planning and Zoning to facilitate determination of the development envelope on the site;

(2) a landscape plan that is in compliance with the Landscape Manual;
(3) the estimated quantity of proposed excavation and fill;

(4) a forest stand delineation;

(5) a bog protection plan for a bog protection area;

(6) maps of existing and proposed drainage areas at a scale of 1” = 100’ for sites less than 25 acres and 1” = 200’ for sites greater than 25 acres;

(7) a traffic impact study;

(8) A BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT, UNLESS EXEMPT PURSUANT TO SUBSECTION (D):

[(8)] (9) in the critical area:

(i) a sediment control plan for all forest or woodland disturbance of 5,000 square feet or more;

(ii) a buffer management plan as required by COMAR, Title 27;

(iii) a critical area report and habitat assessment; and

(iv) all computations and data necessary to determine if the 10% pollutant reduction requirements of § 16-4-205 of this Code are met;

[(9)] (10) an equivalent dwelling unit (EDU) worksheet; and

((10)] (11) a copy of a summary of comments received at the pre-submission community meeting; an affidavit signed by the developer or other evidence acceptable to the Office of Planning and Zoning to prove that a community meeting was held and that a copy of the summary of comments was mailed to each participant at the pre-submission community meeting, to all lot owners within [175]300 feet of the property to be subdivided, and to the County Councilmember of the Councilmanic District where the property is located and, if the property abuts another Councilmanic District, to that County Councilmember.
(D) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE PEDESTRIAN AND TRANSIT INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE PEDESTRIAN AND TRANSIT ASSESSMENT:

1. SUBDIVISIONS OF FIVE OR FEWER DWELLING UNITS;

2. NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS; AND

3. WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED SQUARE FEET.

17-3-301. Final plan application.

(c) **Attachments.** A final plan shall be accompanied by all information required by the Office of Planning and Zoning and the Department of Inspections and Permits, including to the extent applicable:

1. a final infrastructure construction plan, including a stormwater management plan in accordance with Article 16 of this Code, a storm drain plan, a water and sewer plan, and a public MULTI-MODAL TRANSPORTATION [road] plan;

2. a forest conservation plan;

3. drafts of all other deeds, easements, rights-of-way, agreements, and other documents required by this article and requested by the Office of Planning and Zoning;

4. final quantities of proposed excavation and fill;

5. a bog protection plan for a bog protection area;

6. a traffic IMPACT study IF NOT PREVIOUSLY PROVIDED;
(7) A BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT, IF NOT PREVIOUSLY PROVIDED, UNLESS EXEMPT PURSUANT TO SUBSECTION (D);

[(7)] (8) a buffer management plan as required by COMAR, Title 27;

[(8)] (9) a demonstration of external ADA accessibility as required by law;

[(9)] (10) for subdivisions consisting of six or more lots, drafts of documents required in connection with the creation and incorporation of a community association or homeowners association;

[(10)] (11) a proposed record plat; and

[(11)] (12) a digital copy of the proposed record plat or the fee for digital conversion of a proposed record plat.

(D) **Exemption from bicycle pedestrian transit assessment.** THE FOLLOWING SUBDIVISIONS OR DEVELOPMENTS MAY OPT TO PAY BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEES IN LIEU OF PREPARING A BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT:

(1) SUBDIVISIONS OF FIVE OR FEWER DWELLING UNITS;

(2) NON-RESIDENTIAL DEVELOPMENTS COMPRISING LESS THAN 5,000 ENCLOSED SQUARE FEET, OTHER THAN WAREHOUSE DEVELOPMENTS; AND

(3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED SQUAREFEET.

17-3-403. Reservation of land for public facilities.

(a) **Land needed for public facilities.** The Planning and Zoning Officer may require that land in a subdivision be reserved for acquisition by the County or the Board of Education for use as a park, COUNTY OR STATE MULTI-MODAL TRANSPORTATION
INFRASTRUCTURE, school, or other public facility if the Planning and Zoning Officer determines after receipt of a written request from a department or other public entity charged with responsibility for the facility that the land is needed and the facility is funded in the Capital Improvement Program of the County or State.

TITLE 4. SITE DEVELOPMENT

17-4-201. Preliminary plan.

(C) Exemption from bicycle pedestrian transit assessment. The following subdivisions or developments may opt to pay bicycle, pedestrian, and transit infrastructure fees in lieu of preparing a bicycle, pedestrian, and transit assessment:

(I) Subdivisions of five or fewer dwelling units;

(2) Non-residential developments comprising less than 5,000 enclosed square feet, other than warehouse developments; and

(3) Warehouse developments comprising less than 15,000 enclosed square feet.

17-4-202. Site development plan.

(c) Attachments. A site development plan shall be accompanied by all information required by the Office of Planning and Zoning and the Health Department, including the extent applicable:

(8) A bicycle, pedestrian, and transit assessment, if not previously provided, unless exempt pursuant to subsection (D);

(D) Exemption from bicycle pedestrian transit assessment. The following subdivisions or developments may opt to pay bicycle pedestrian and transit infrastructure fees in lieu of preparing a bicycle pedestrian and transit assessment:

(I) Subdivisions of five or fewer units;

(2) Non-residential developments comprising less than 5,000 enclosed square feet, other than warehouse developments; and
(3) WAREHOUSE DEVELOPMENTS COMPRISING LESS THAN 15,000 ENCLOSED SQUARE FEET.

TITLE 5. ADEQUATE PUBLIC FACILITIES

17-5-901. Mitigation.

(a) General requirement. Except as provided in this section, mitigation consists of the construction or funding of improvements to offsite public facilities by a developer that increase capacity, are compatible with the function, safety, and capacity of multi-modal transportation infrastructure, and improve environmental effectiveness or safety of each public facility that is below the minimum standard in the impact area so that the capacity, environmental effectiveness or safety of the facility in the scheduled completion year will be equal to or greater than if the development had not been constructed. A school capacity mitigation plan may also include donation of land to the Board of Education for future school facilities construction. A mitigation plan may include donation of land to the Board of Education for future school facilities construction pursuant to subsection (g)(2), physical improvements secured by bond, letter of credit or other security acceptable to the County, which shall be provided under a public works agreement or grading permit, or an agreement with the Board of Education to construct school facilities, including a contract school, or payment of storm drain fees in excess of those required by Title 11, or contributions to existing capital projects and shall be approved by the Planning and Zoning Officer. The developer shall submit the most recent tax assessment information for any land to be donated to the Board of Education, a cost estimate to establish the value of construction or off-site improvements offered in mitigation, and a cost estimate for construction and improvements in conformance with County specifications may be approved by the Planning and Zoning Officer who may also require a mitigation agreement to ensure compliance with the requirements of this section. An agreement with the Board of Education to construct school facilities or for the donation of land for a school site must comply with applicable State law and be approved by resolution introduced by the County Executive and adopted by the County Council.

(h) Transportation Capacity Mitigation Agreement. Pursuant to this section and § 17-5-401, a developer may enter into a Transportation Capacity Mitigation Agreement to provide capital improvements to increase road capacity to resolve existing roadway deficiencies and to mitigate the traffic impact of all phases of a proposed development by providing roadways adequate for the project, provided those improvements are compatible with the function, safety, and capacity of existing or planned multi-modal transportation infrastructure. Approvals for development within the project may not be granted until the capital improvements specified in the Transportation Capacity Mitigation Agreement are completed by the developer and accepted by the County, or adequate security for completion of the capital improvements is provided by the developer. The capital improvements provided by the developer pursuant
to a Transportation Capacity Mitigation Agreement shall be available to any portion of the
developer's specified property or project and shall provide roadway capacity to allow
approval of sketch plan or site development plan applications filed for the property or
project within six years of the date of the Transportation Capacity Mitigation Agreement.
The six year filing deadline may be extended by the Planning and Zoning Officer for good
cause shown.

17-5-902. Delay in or alternative method of accomplishing mitigation.

If the Planning and Zoning Officer, after consultation with the Director of Public Works
AND THE DIRECTOR OF THE OFFICE OF TRANSPORTATION, determines that the timing of
capital projects or the need to ensure continuity in the transportation network makes it more
efficient to delay the construction of all or part of proposed mitigation, the Planning and
Zoning Officer shall require the developer to:

(1) delay the construction of all or part of the improvements to a date certain and
sign a public works agreement guaranteeing the construction of the delayed improvements;
or
(2) agree to pay the County the current estimated cost of the mitigation, which the
County shall use to fund all or part of a capital project to improve the facilities that were
to have been mitigated by the developer.

TITLE 6. GENERAL DEVELOPMENT PROVISIONS

17-6-103. Road design.

(i) Public roads. Public roads within a proposed subdivision shall be designed, to the
maximum extent practicable, to minimize impervious surfaces, grading, and impacts to
natural features, AND TO ENHANCE MULTI-MODAL TRANSPORTATION OPTIONS.

(1) The right-of-way for public roads shall be conveyed by dedicating and deeding
the land to the County or State in fee simple. If a proposed subdivision other than an
agricultural preservation subdivision borders a County or State road that does not comply
with County or State standards, the developer shall dedicate and deed sufficient right-of-
way to comply with the standards and to accommodate pedestrian and bicycle facilities
identified in the CURRENT County Pedestrian and Bicycle Master Plan AND OTHER
TRANSPORTATION OR DEVELOPMENT PLANS OR PROGRAMS ADOPTED BY THE COUNTY,
except that in a cluster development in an RA or RLD District, the developer shall dedicate
and deed in fee simple sufficient right-of-way to comply with the standards on the road
frontage of the cluster lots only.
(j) Private roads; declaration. Proposed new private roads shall be designed to accommodate areas for mail delivery and the collection of residents’ garbage and recyclable materials AND TO ENCOURAGE OPPORTUNITIES FOR MULTI-MODAL TRANSPORTATION CONNECTIONS. Generally these areas shall be in close proximity to public roads. The developer shall prepare and record a declaration of covenants, conditions, and restrictions requiring that, in the absence of a homeowners association or condominium regime legally responsible for maintenance of the private road, owners of newly created lots abutting a private road shall be responsible for the maintenance of the private road. For private roads developed in connection with a subdivision requiring the creation of a homeowners association, the declaration shall be binding on the homeowners association and the homeowners association shall be responsible for maintenance of the private road. For private roads developed in connection with a condominium regime, the declaration shall be binding on the condominium regime’s council of unit owners and the council of unit owners shall be responsible for maintenance of the private road. For development in the absence of a homeowners association or condominium regime the declaration shall be binding on all abutting property owners and those abutting property owners shall be responsible for maintenance of the private roads. Any declaration required by this section shall be recorded in the land records.

17-6-111. Open space; recreation area; open area.

(c) Required recreation area generally. Unless the Planning and Zoning Officer under subsection (g) requires the developer to pay a fee in lieu of recreation area, a single-family detached, townhouse, semi-detached, or duplex subdivision that provides open space under subsection (b) shall have at least 1,000 square feet of recreation area for each dwelling unit. A multifamily subdivision that provides open space under subsection (b) shall dedicate and use 20% of the gross area of the site as recreation area. At least 50% of the required recreation area shall be reserved for active recreation, such as SHARED-USE PATHS, tennis courts, swimming and boating areas, playgrounds, and playfields. The remainder of the recreation area may be passive recreation area and may be encumbered by forest conservation easements that permit minimal disturbance for trails, stormwater management areas, or environmentally sensitive areas.

(d) Open area and required recreation area for certain multifamily dwellings. A multifamily dwelling that has not provided an open space lot under subsection (b) shall have 45% of the gross area of the site as open area and 20% of the gross area of the site as recreation area. At least 50% of the required recreation area shall be reserved for active recreation, such as SHARED-USE PATHS, tennis courts, swimming and boating areas, playgrounds, and playfields.

(e) Characteristics of recreation area generally. Recreation area shall be designed to
demonstrate ADA accessibility to the maximum extent practicable, and may not include parking lot islands, transmission line easements, or strips with a width of less than 20 feet, OTHER THAN SHARED-USE PATHS.

(h) **Characteristics of active recreation area.** Recreation area to be used for active recreation may not include wetlands or stream buffers, floodplains, forest conservation easements, stormwater management or drainage facility easements, inlets, outfalls, stormwater management credit areas, or slopes over five percent. Recreation area shall:

(1) be integrated into the subdivision design to create focal points along roads and at entrances;

(2) be square or rectangular in shape, to the extent practical, and suitable for recreation uses, such as tot lots, ball fields, and courts, or for recreation in formal parks and squares;

(3) have at least 20 feet of frontage on a public or private road;

(4) be centrally located among the lots it serves; [and]

(5) be equitably distributed into two areas if the subdivision or site contains at least 50 residential lots or the site contains at least 50 residential units[.]; AND

(6) MAY INCLUDE SHARED-USE PATHS, WHICH ARE NOT SUBJECT TO THE RESTRICTIONS SET FORTH IN PARAGRAPHS (1) THROUGH (5) OF THIS SUBSECTION.

(j) **Design of bikeways and shared-use paths.** BIKEWAYS AND SHARED-USE PATHS SHALL BE DESIGNED TO BE AVAILABLE FOR USE BY ALL LOT OR UNIT OWNERS IN THE SUBDIVISION AND IN ACCORDANCE WITH THE DESIGN MANUAL. SHARED-USE PATHS PROVIDED AS ACTIVE RECREATION AREA MAY ONLY BE CONSIDERED AS COMPLYING WITH ALL OR PART OF THE REQUIREMENTS OF § 17-6-113 IF THE SHARED-USE PATHS SUPPORT THE OBJECTIVES OF BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE AND CONNECTIVITY TO EXISTING, PLANNED, OR FUTURE OFFSITE INFRASTRUCTURE, AND IF THE SHARED-USE PATHS ARE PLACED IN A PUBLIC EASEMENT OR PUBLIC RIGHT-OF-WAY.

17-6-113. Bicycle, Pedestrian and Transit Infrastructure.

(A) **Purpose.** EACH SUBDIVISION OR DEVELOPMENT SHALL BE DESIGNED TO PROVIDE INTERCONNECTIONS TO PROMOTE THE CIRCULATION AND FLOW OF BICYCLES AND PEDESTRIANS BETWEEN DEVELOPMENTS AND EXISTING USES AND TO INCORPORATE
(B) Requirements.

(1) In addition to any other design requirements of this code, each development or subdivision shall provide public on- or off-site bicycle, pedestrian, or transit infrastructure, that connects to or expands the existing, planned, or future public bicycle, pedestrian, or transit infrastructure. The developer shall provide the bicycle, pedestrian, and transit infrastructure improvements in accordance with the approved bicycle pedestrian and transit assessment.

(2) The developer may acquire property not already owned by the developer to be dedicated for public use to implement the requirements of this section.

(C) Plans and guidelines.

(1) A transportation functional master plan shall be prepared by the office of transportation, in conjunction with other approving agencies, no later than one year after the effective date of Bill 78-18.

(2) Bicycle, pedestrian, and transit assessment guidelines shall be prepared by the office of transportation, in conjunction with other approving agencies, no later than 60 days after the effective date of Bill 78-3718.

(D) Limit. The cost to the developer for design and construction of public bicycle, pedestrian, and transit infrastructure required under this section may not be required to exceed the amount of the bicycle, pedestrian, and transit fee-in-lieu that would be due for the subdivision or development under § 17-11-101.

(E) Fee-in-Lieu.

(1) Authorized. Upon a finding by the planning and zoning officer that, due to specific existing site conditions, construction of connectable public sidewalks, bikeways, shared-use paths, or transit stops, as required by this section, that would facilitate connections or accessibility to nearby bicycle, pedestrian, or transit infrastructure cannot reasonably be accomplished within the cost limits of this section, or where a development is exempt from providing a bicycle, pedestrian, and transit assessment under this article, a developer may pay a fee-in-lieu in the amount provided in § 17-11-101 for bicycle, pedestrian, and transit infrastructure. The bicycle, pedestrian, and transit infrastructure fee-in-lieu fund shall be established by the office of transportation no later than 60 days after the effective date of Bill 78-18, and shall be administered by that office. A fee-in-lieu shall be paid into the bicycle, pedestrian, and transit infrastructure fee-in-lieu fund prior to the issuance of a grading permit or building permit when a grading permit is not required.

(2) Use of funds. Funds in the bicycle, pedestrian, and transit infrastructure fee-in-lieu fund may only be utilized for the design and
CONSTRUCTION COSTS ASSOCIATED WITH EXPANDING EXISTING BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE, OR CREATING NEW BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE. THE DIRECTOR OF THE OFFICE OF TRANSPORTATION MAY APPROVE A REQUEST TO USE FUNDS FROM THE BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU FUND TO EXPAND EXISTING OR CREATE NEW BICYCLE, PEDESTRIAN OR TRANSIT INFRASTRUCTURE.

(F) Design requirements. The design of facilities for bicyclists and pedestrians shall be in accordance with those provided in the design manual, or, in the absence of information in the design manual, guidance from generally recognized and commonly used transportation engineering and planning standards including guidance from the federal highway administration (FHWA), the maryland department of transportation (MDOT), the american association of state highway and transportation officials (AASHTO), the institute of transportation engineers (ITE), and the national association of city transportation officials (NACTO).

(G) Applicability. The provisions of this section shall apply to all development subject to this article, including development in the Odenton growth management area, the parole town center, and the Glen burnie town center.

TITLE 11. FEES AND SECURITY


The following fees shall be paid and security given as provided in the following chart, except that fees paid on an application governed by the law as it existed prior to May 12, 2005 shall be credited against the fees in the following chart if the application is withdrawn and a new application is filed under this article:

<table>
<thead>
<tr>
<th>Category</th>
<th>Fee or Security</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amended record plat</td>
<td>$350</td>
</tr>
<tr>
<td>BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, RESIDENTIAL</td>
<td>$330 PER RESIDENTIAL DWELLING UNIT</td>
</tr>
<tr>
<td>BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, NON-RESIDENTIAL</td>
<td>$0.40 PER SQUARE FOOT OF ENCLOSED SPACE</td>
</tr>
<tr>
<td>BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, NON-RESIDENTIAL, WAREHOUSES</td>
<td>$0.11 PER SQUARE FOOT OF ENCLOSED SPACE</td>
</tr>
<tr>
<td>BICYCLE, PEDESTRIAN, AND TRANSIT INFRASTRUCTURE FEE-IN-LIEU, NON-RESIDENTIAL, WAREHOUSES</td>
<td>$0.11 PER SQUARE FOOT OF ENCLOSED SPACE</td>
</tr>
</tbody>
</table>
SECTION 3. And be it further enacted, That this Ordinance shall apply only prospectively and shall not apply to any application for sketch plan approval, final plan approval, preliminary plan approval, site development plan approval, or for approval of a building or grading permit associated with a site development plan or subdivision, that is filed on or before, or that has received sketch or preliminary plan approval on or before January 1, 2019.

SECTION 4. And be it further enacted, That all references in this Ordinance to "the effective date of Bill No. 78-18", or words to that effect, shall, upon codification, be replaced with the actual date on which this Ordinance takes effect under Section 307 of the County Charter as certified by the Administrative Officer to the County Council.

SECTION 5. And be it further enacted, That this Ordinance shall take effect December 1, 2018.

AMENDMENT ADOPTED: September 17, 2018

READ AND PASSED this 1st day of October, 2018

By Order:

JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 2nd day of October, 2018

APPROVED AND ENACTED this_____  

Steven R. Schuh
County Executive

EFFECTIVE DATE: 

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Anne Arundel County, Bicycle, Pedestrian, Transit Assessment Guidelines (December 2018)
I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 78-1S. THE ORIGINAL OF WHICH IS RETAINED
IN THE FILES

OF THE COUNTY COUNCIL

[Signature]

JoAnne Gray

Administrative Officer
APPENDIX F
Bicycle, Pedestrian, Transit Assessment (BPTA) Scoping Agreement

Anne Arundel County
Office of Transportation
Date of Scoping Meeting:______________________________

Based on the results of the scoping meeting/discussion with the Office of Transportation (OOT), the applicant shall prepare and sign this scoping agreement and submit it to the review staff in OOT for approval and signature. Upon approval, OOT staff will return the agreement to the applicant who should include it in the BPTA submittal package.

1. Subdivision/PP/SDP Name:

2. Subdivision/PP/SDP/Modification Number:

3. Consultant Name and Contact Information:

4. Gross square feet of non-residential (except warehouses):

5. Gross square feet of non-residential warehouses:

6. Number of dwelling units:

7. Total cost cap for proposed BPT facilities per Section 17-6-113.

8. Potential BPT trip generators/destinations near the subject site.

9. Are any CIP, PBMP, or existing or planned trail projects near the site?

9. What is the proposed BPT intended to meet Section 17-6-113?

SIGNED: _______________________________________
Applicant/Consultant Printed

______________________________________________ Date: ____________
Applicant/Consultant Signature

APPROVED: _____________________________________ Date: ____________
OOT Reviewer

T:\Programs\DEVELOPMENT REVIEW\BPTA\Review Guidelines\BPTA Scoping Agreement.docx

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Anne Arundel County, Bicycle, Pedestrian, Transit Assessment Guidelines (December 2018)