



April 16, 2012

To: Montgomery County Planning Board  
c/o Planning Board Chair Francoise Carrier

From: Montgomery County Civic Federation  
via Jim Humphrey, Chair, MCCF Planning and Land Use Committee  
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Civic Federation Comments to Planning Board on Draft TPAR--item 7 on 4/19/12 agenda

The Montgomery County Civic Federation strongly supports the splitting of the transportation analysis for transit and roadway adequacy into two separate tests, as is accomplished under TPAR (Transportation Policy Area Review). Since the PAMR (Policy Area Mobility Review) test was created in 2007, the Federation has argued that it does not appropriately implement the county's Adequate Public Facilities Ordinance, since it weighs the adequacy of transit and roadway capacity against each other. We believe that stand alone tests for transit and traffic adequacy, as outlined in TPAR, are a more appropriate implementation of the APFO.\*

The Federation does note some minor concerns, however, which we believe should be addressed prior to the initial implementation of TPAR.

Transit Service (pp. 17-18 of Draft TPAR report)

In implementing Step 4 of the Transit Adequacy Test ("Identifying Transit Solutions") the TPAR drafters made a judgment to focus on Peak Headway, we assume because a greater number of Policy Areas are experiencing inadequate bus headway service in PM peak (13 areas) as compared to those with inadequate coverage (6 areas) or span of service (no area). The MCCF concern is that this approach offers no help in identifying or implementing solutions to the inadequate coverage in areas where less than the desired percentage of land is within 1 mile or rail service or 1/3 mile of bus service (Rockville City, Derwood, North Potomac, Olney, Potomac, and Clarksburg).

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\* "The Planning Board must not approve a preliminary plan of subdivision unless the Board finds that public facilities will be adequate to support and service the area of the proposed subdivision. Public facilities and services to be examined for adequacy include roads **and** public transportation facilities, sewerage and water service, schools, police stations, firehouses, and health clinics." [Sec.50-35, emphasis added]

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Roadway Performance (pp. 23-24)

Since, as noted in the report, "the HCM (Highway Capacity Manual) has not evolved to having a method for an areawide measure of roadway performance nor of standards for that idea", the TPAR drafters have proposed their own arbitrary Levels of Service for the Urban, Suburban and Rural Policy Area Categories in the county (see Exhibit 3.9 on pg. 24). The MCCF is concerned that what are being referred to as "Standards of Acceptable Roadway Average Levels of Service" on this chart are set too low, and will result in degradation of roadway performance to the lowest expected levels before needed improvements are programmed and private sector cost sharing payments are required.

In addition, Step 16 of the process for responding to areas with inadequate roadway performance (pg. 26) involves reviewing unbuilt roadway projects identified in the master plan to identify improvements to fund. But older master plans which have not undergone revision in decades may not have foreseen currently underperforming roadways nor addressed roadway improvements. The idea that the list of transportation improvements priorities submitted by local elected officials to MDOT might include "worthy projects that are not identified in the Master Plans" provides little guarantee that all needed roadway improvements will be programmed and funded in a timely fashion.

Allocate Costs for Needed Improvements (pp.27-30)

The idea of prorating private sector costs of transit and roadway improvements needed in each Policy Area by the 30 year forecasted increase in units of development (jobs and households) in the same Policy Area seems extraordinarily complex, although the Federation has no simpler and more easily understandable alternative to offer at this time. The MCCF is concerned with the statement of the report drafters that "both the maximum and minimum TPAR payment would be adjusted every July 1, on the basis of a national and regional construction cost index" (pg. 30), without identifying the entities of county government that would be involved in the calculation or approval of the annual adjustment.

The Federation believes the multi-year payment option for private sector TPAR payments (pg. 32) inserts yet another layer of complexity into the calculation, collection and tracking of these payments. The idea begs the question of who could be held legally responsible for payments if a development entity goes out of business after completion of a project but before all of the prorated TPAR payments owed by that project have been collected. The MCCF believes that collection of the entire TPAR payment prior to the release of building permits is far wiser than instituting a complex multi-year payment plan.

Thank you for considering the Federation's comments in your discussion of this issue.