



THE GREATER BETHESDA

CHAMBER of COMMERCE

Smart Business, Bright Future

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VIA Hand-Delivery

February 13, 2020

The Honorable Kumar Barve, Chairman
House Environment and Transportation Committee
House of Building, Room 251
6 Bladen Street
Annapolis, Maryland 21401

Re: HB194 - State Highway Administration - Highway Work Permits - Pedestrian Access (Pedestrian Access Act of 2020) - FAVORABLE WITH AMENDMENTS

Dear Chairman Barve and Members of the House Environment and Transportation Committee

On behalf of The Greater Bethesda Chamber of Commerce (the “Greater Bethesda Chamber”), we are submitting these comments for your review and consideration at the public hearing on the Pedestrian Access Act of 2020. The Greater Bethesda Chamber represents over 550 member businesses and nonprofit organizations in Montgomery County, many of which will be impacted by and/or play a role in redevelopment projects at transit-oriented locations in the greater Bethesda region (including, Downtown Bethesda, Friendship Heights, White Flint, and Chevy Chase Lake).

We support the overarching goal and intent of the Bill as it is aimed at improving pedestrian accessibility along roads under the State Highway Administration’s (SHA) control. This goal is important for public safety and ensuring that existing businesses remain economically viable during periods of time that they are otherwise impacted by ongoing construction. We agree that it is vital to the quality of life of residents, employees, customers, and visitors of the greater Bethesda area that pedestrian accessibility be prioritized in and around construction sites for development projects.

However, it is also important that the Bill be flexible enough to satisfy the demands of redevelopment projects and not stifle continued growth and economic development in and around the transit stations. To this end, the Bill appears to be drafted broadly and flexibly enough to accommodate a variety of conditions arising in the course of construction activities along State roads. While we recognize that the Bill would require SHA to adopt regulations that clarify the details and standards for accomplishing the goal of more efficient and safer pedestrian accessibility, we suggest that the following amendments and clarifications be incorporated into the Bill so that all stakeholders have clear and sufficient notice of the intended changes:

- Clarification of “maintenance of pedestrian access”: While it is preferable that safe pedestrian access be maintained on the same side of the street during construction projects, it is important to recognize that this may not be feasible in all situations due to safety concerns and/or site constraints. The Bill should be revised and clearly state that the SHA regulations will not mandate that alternative pedestrian access be provided on the same side of the street in all cases.



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- Clarification for development projects constructing a bike lane where none presently exist While the Bill provides that access to bike lanes shall be maintained when a sidewalk shed is erected for public safety, it should clarify that there may be instances where a development project must temporarily occupy and close a portion of a State road to allow for construction of a new bike facility and pedestrian pathway. Where there is presently no bike lane along a State road and the development project will be constructing a bike lane as part of the project, the Bill should reference that this may be a situation where maintaining pedestrian access on the same side of the street is infeasible and therefore not required.
- Scope of the Bill / Transit Proximity: The Bill indicates that the pedestrian accessibility requirements would apply to work done under any SHA permit performed within two (2) miles of a WMATA metro station or MTA transit station (e.g., MARC or future Purple Line Stations). We suggest that this language be revised to clarify that these requirements apply to work performed within one (1) mile of a transit station. Sites that are beyond one (1) mile of a walk-radius are not considered transit-oriented by accepted land use and planning policies and guidelines. Therefore, we recommend that the Bill be properly focused only on transit-oriented locations.

We thank you for the opportunity to provide these written comments and ask for a favorable report with the above-mentioned amendments.

Sincerely,

Ginanne M. Italiano, IOM
President & CEO

The Greater Bethesda Chamber of Commerce