

Docket Item #10
TEXT AMENDMENT#2006-0002

Planning Commission Meeting
March 9, 2006

CASE: TEXT AMENDMENT #2006-0002
CHANGES TO DEVELOPMENT APPROVALS AND PROCEDURES

ISSUE: Consideration of amendment to Section 11-400 of the Zoning Ordinance to require independent, third party reviews of traffic studies submitted as part of certain development applications

STAFF RECOMMENDATION: Staff recommends that the Planning Commission recommend approval of the following text amendment:

Sec. 11-400 Site Plan

Sec. 11-406 *Contents of preliminary site plan application*

- (C) An application for preliminary site plan approval shall include the following information and material:

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[The following is new language]

- (18) In the case of an application for development that generates 500 or more daily trips, as measured by professionally recognized standards, a traffic impact study (TIS) shall be prepared and submitted which complies with the requirements for TISs in section 11-705 (B) of this ordinance. The applicant shall defray the City's cost for the use of a traffic professional who will participate in the required scoping meeting and who will provide staff with an independent assessment of the applicant's study.

DISCUSSION

This text amendment implements the independent review of development applicants' traffic studies as part of a program outlined and approved by City Council.

Background

In response to discussion during several development cases during the past several years, Council asked staff to investigate ways to improve information available to the Planning Commission and Council during their consideration of proposed development projects. Among other items, Council expressed interest in ensuring that traffic impact studies submitted by applicants are objective and properly prepared.

In response staff recommended that it require that applicants who submit traffic impact statements (TIS) also fund independent, third-party reviews of those studies to be performed by qualified, City-selected professional engineers. Staff presented its proposal, including threshold development sizes and fees for the third party review in November 2004.

Council approved the approach outlined by staff as a policy matter in November 2004, but asked that staff meet with the development community to discuss the new approach and refine the details. After further discussion of the proposal with Council in February 2006, Council directed that staff bring forward a text amendment to incorporate the requirement in the zoning ordinance and implement the new policy as part of the development review process. See attached Council docket memos.

Current Traffic Study Requirements and Procedures

Applicants for new development are typically required to submit a traffic study, in order to assess the additional impacts on streets, traffic congestion and circulation patterns that may result from the proposed development. Transportation and Environmental Services (T&ES) and Planning and Zoning (P&Z) staff then work together on the scope of the traffic analysis and on mitigation measures such as transit incentives, lower parking ratios, and street and pedestrian enhancements.

For larger developments (50,000 square feet of office, 40,000 square feet of retail, 150,000 square feet of industrial space, or 250 residential units), the City requires approval of a special use permit for a transportation management plan (TMP). Each transportation management plan is based on a detailed traffic study which evaluates the probable impact of the development on surrounding streets, intersection levels of service, and transit and pedestrian service and facilities as required by Section 11-705(B) of the Zoning Ordinance. The basic requirements of these traffic studies are specified by the Zoning Ordinance. In addition, the applicant must include a comprehensive traffic management plan (TMP) indicating how the development proposes to mitigate potential increases in traffic congestion by implementing and funding measures that encourage transit and pedestrian travel in lieu of vehicular travel. Transportation and Planning staff augment these recommendations with traffic, transit, cyclist and pedestrian measures to further mitigate potential impacts.

For smaller development cases, staff frequently require that applicants provide a similar traffic study, as well as strategies to mitigate any increases in congestion. These studies are required on a discretionary basis, recognizing that a development special use permit or site plan cases of any size must demonstrate that the proposed development will not result in unacceptable negative impacts to the adjacent community. Assessment of traffic and parking impacts, internal as well as external circulation, access issues, and the need for traffic and pedestrian improvements are integral components of each development review. While small developments typically do not significantly impact traffic or the established street system, those over, for example, 100 residential units or 25,000 square feet of commercial development can create impacts that reasonably require mitigation.

Thus, under current policies, traffic studies and analyses were required for recent large development cases, such as the Mark Center/Winkler project, as well as on smaller cases which did not meet the size thresholds for a TMP SUP, such as Hopkins Warehouse, Old Colony, Tuscany on Yoakum Parkway, 800 South Washington Street, Whole Foods, Pentagon Federal Credit Union and Postmasters. Several quite small residential projects, such as Quaker Ridge, Quaker View and Second Presbyterian/Oak Grove, were required to submit traffic impact studies when specific traffic and access became issues for the community.

Currently, the traffic analysis element of development reviews work relatively seamlessly as part of the overall process. During the early concept review stage, applicants meet with staff from T&ES and Planning in order to identify the necessary elements of the traffic study in light of pertinent planning issues and specific issues to be addressed. The purpose of this “scoping meeting” is for staff, the applicant and the traffic consultant to agree on the parameters of the traffic study that is to be performed, including the geographic area to be examined, the background (existing and projected) data to use, study methodology and any necessary assumptions, such as the number of vehicle trips generated by the use and the modal split (how many people will use different levels of travel). When the traffic study is submitted, staff reviews the analyses and conclusions to determine whether correct assumptions and an appropriate methodology were used, and whether the traffic impacts identified are appropriately addressed.

Based on the traffic study findings, the particular development and location proposed, and staff’s own knowledge of traffic conditions and potential impacts, development conditions are included in the staff recommendation to ensure that traffic impacts are appropriately addressed. As part of development cases over several years, SUP conditions have included specific requirements designed to mitigate anticipated traffic impacts. Typical conditions include, street and pedestrian improvements (such as wider sidewalks, pedestrian crossings, street trees, bus shelters, intersection turn lanes and signal control improvements) staggered work hours, car pooling, bicycle facilities, traffic calming measures, flex cars, reduced parking ratios, and DASH and Metro subsidies.

Independent Traffic Study Review Approach

Under the approach approved by Council, independent, third-party reviews be required for traffic impact studies submitted as part of certain development applications. The new program consists of the following features:

- *Application to developments.* The program will apply only to developments of a size significant enough, from a traffic standpoint to warrant a TIS: those that generate 500 or more trips per day. This will capture intermediate and larger scale projects, whether or not a TMP/SUP is required.
- *Cost of independent review.* Applicants will be required to defray the cost of the City's use of an outside traffic expert to help plan and review the required traffic impact studies. A fee of \$3.00 per trip will be assessed to cover the City's expected cost. Thus, a project generating 500 daily trips will pay a review fee of \$1,500, while a project generating 2,500 trips will pay \$7,500.
- *Professional engineers.* The independent reviewer will be selected from among qualified professionals with whom the City has an ongoing consulting relationship.
- *Scope of Review.* The independent reviewer will participate in the scoping meeting that will occur during the concept plan review process, will offer recommendations as to any assumptions necessary for the study, will review the developer's completed traffic impact study and will provide an independent assessment of the study's adequacy, objectivity, methodology and conclusions.
- *Findings.* The independent reviewer's findings will be incorporated in the staff report submitted to the Planning Commission and City Council on the development application.
- *Future monitoring.* The program will be monitored for effectiveness, to determine if it provides better and more objective information about potential traffic impacts. The program will also be monitored to ensure that the fee of \$3.00 per trip actually covers the City's third-party review costs.

Proposed Text Amendment

The text amendment language requires that a traffic impact study (TIS) be submitted for all projects expected to generate 500 or more daily trips, based on recognized professional measuring standards. The requirement is made expressly a required component of an application for site plan, which is required for all development of any size, whether part of a special use permit or not.

The text amendment describes the required elements of a TIS by referencing section 11-705(B), which includes a very detailed list of all necessary data to be included and analyzed as part of a traffic study. That section also outlines the required scoping meeting which is to occur before the preparation of the traffic study, with the directors of P&Z and T&S determining the precise extent of the required study including, for example, the acceptable assumptions to incorporate regarding trip generation rates, the directional distribution of traffic, the modal split, vehicle occupancy assumptions and the trends in growth of traffic in the area .

Finally, the text amendment makes clear that the fee for the independent traffic reviewer is a cost to be defrayed by the site plan applicant. Although the specific fee is not part of the text amendment, Council approved staff's recommendation that applicant's be charged a fee of \$3.00 per trip. That fee will be made part of the City's established development fee schedule, approved and updated periodically by Council, but not part of the City's zoning legislation.

CONCLUSION AND STAFF RECOMMENDATION

Staff believes the new traffic review approach will assist the Commission and Council, as well as the public, in terms of greater understanding of and confidence in the traffic analyses presented as part of development proposals. As indicated above, staff will be monitoring the program to assess its success over time and to determine if refinements are required in the future.

Staff recommends that the Commission recommend approval of the proposed text amendment. .

STAFF

Richard J. Baier, P.E., Director, T&ES

Eileen Fogarty, Director, Planning and Zoning

Tom Culpepper, Deputy Director, T&ES

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ATTACHMENTS

Council docket memorandum from James K. Hartman, City Manager, 2/14/06 #19

Council docket memorandum from Philip Sunderland, City Manager, 11/23/04 #26

