

1 **..Title**
 2 **Adequate Public Facilities - Auto transportation facilities** – For the purpose of
 3 clarifying the circumstances that would require a traffic impact analysis for a proposed
 4 project; clarifying the standards to be used to determine adequacy; and generally relating
 5 to the adequacy of auto transportation facilities.

6 **..Body**

7
 8 **CITY COUNCIL OF THE**
 9 *City of Annapolis*

10 **Ordinance 19-19**

11 **Introduced by: Alderman Arnett**

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 14
 15 **Referred to**
 16 Planning Commission
 17 Rules and City Government Committee
 18 Transportation Committee

19
 20 **AN ORDINANCE** concerning

21
 22 **Adequate Public Facilities - Auto transportation facilities**

23
 24 **FOR** The purpose of clarifying the circumstances that would require a traffic impact
 25 analysis for a proposed project; clarifying the standards to be used to determine adequacy;
 26 and generally relating to the adequacy of auto transportation facilities.

27
 28 **BY** repealing and re-enacting with amendments the following portions of the Code of
 29 the City of Annapolis, 2019 Edition
 30 22.21.010

31
 32 **BY** adding the following portions to the Code of the City of Annapolis, 2019 Edition
 33 22.21.020
 34 22.21.030
 35 22.21.040
 36 22.21.050

37
 38
 39 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
 40 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
 41 follows:

42
 43 **TITLE 22 – ADEQUATE PUBLIC FACILITIES**

44
 45 **Chapter 22.21 - ~~TRAFFIC IMPACT ANALYSES~~ REVIEW CRITERIA AND**
 46 **CERTIFICATION FOR AUTO TRANSPORTATION FACILITIES**

1
2 **22.21.010 - ~~Traffic impact analyses.~~ RESPONSIBILITY**
3

4 THE DIRECTOR OF PLANNING AND ZONING SHALL BE RESPONSIBLE FOR
5 REVIEW AND ASSESSMENT OF A PROPOSED PROJECT WITH REGARD TO THE
6 ADEQUACY OF AUTO TRANSPORTATION FACILITIES. THE REVIEW AND
7 ASSESSMENT SHALL CONSIDER RECOMMENDATIONS OF THE DIRECTOR OF
8 PUBLIC WORKS.
9

10 ~~A. Applicability. Notwithstanding any other provisions of this title, a traffic impact~~
11 ~~analysis shall be required for:~~

12 ~~1. A project must have a traffic impact study if:~~

13 ~~a. The proposed development and/or additions to existing structure is expected~~
14 ~~to generate two hundred fifty daily trips or more based upon trip generation~~
15 ~~rates published in the latest edition of the Trip Generation Manual, published~~
16 ~~by the Institute of Transportation Engineers (ITE); or~~

17 ~~b. There are current traffic problems or issues in the project area, e.g. high~~
18 ~~traffic accident frequency; or~~

19 ~~c. The proposed entrances and exits from the site are too close to an intersection.~~

20 ~~2. Exceptions. There are no exceptions to the criteria above.~~

21 ~~B. Procedures for the preparation of traffic impact analyses~~

22 ~~1. The traffic impact analysis will be prepared based upon a uniform scope of work~~
23 ~~and methodology for traffic impact analyses entitled Traffic Impact Analysis for~~
24 ~~Proposed Development, City of Annapolis, Maryland, maintained by the~~
25 ~~Department of Planning and Zoning.~~

26 ~~2. The traffic impact analysis will be performed under the oversight of the~~
27 ~~Department of Planning and Zoning as follows:~~

28 ~~a. Upon a determination that a development will require a Traffic Impact~~
29 ~~Analysis, the applicant will be notified of such.~~

30 ~~b. The Department of Planning and Zoning will prepare a scope of services for~~
31 ~~the traffic impact analysis and solicit a cost estimate(s) from a competent~~
32 ~~consulting firm(s) for the preparation of the analysis.~~

33 ~~c. The applicant will remit to the Department of Planning and Zoning sufficient~~
34 ~~funds for the completion of the analysis plus an administrative fee not to~~
35 ~~exceed ten percent of the projected cost of the analysis. If the completion of~~
36 ~~the analysis exceeds the funds applicant remitted to the Department of~~
37 ~~Planning and Zoning, the Department may withhold approval until full~~
38 ~~payment is remitted.~~

39 ~~d. The Department of Planning and Zoning will contract directly with the~~
40 ~~consulting firm and oversee the preparation of the traffic impact analysis.~~

41 ~~e. All traffic analysis results will be incorporated into any Adequate Public~~
42 ~~Facilities Ordinance considerations.~~

43 ~~3. The Department of Planning and Zoning shall be a party to all communications~~
44 ~~between the project developer and the consultant performing the Traffic Impact~~
45 ~~Analysis. Should communication occur, to which the Department of Planning~~
46 ~~and Zoning is not a party, the consultant may not be utilized again by the City~~

1 ~~of Annapolis, or the Department may, at its sole discretion, stop the Analysis~~
2 ~~and reinitiate a Traffic Impact Analysis with an alternative consultant at~~
3 ~~applicant expense.~~
4

5 **22.21.020 - GOAL.**

6
7 THE GOAL OF ADEQUATE AUTO TRANSPORTATION FACILITIES IS TO
8 ENSURE THAT ALL PROJECTS GENERATING TRAFFIC ONTO PUBLIC ROADS
9 AND INTERSECTIONS MITIGATE THE PROPOSED PROJECTS' IMPACT ON
10 THOSE PUBLIC ROADS AND INTERSECTION FACILITIES.
11

12 **22.21.030 - EXEMPTIONS.**

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14 THERE ARE NO EXEMPTIONS UNDER THIS CHAPTER FOR ANY PROPOSED
15 PROJECTS.
16

17 **22.21.040 – APPLICABILITY.**

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19 A. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, A
20 TRAFFIC IMPACT ANALYSIS SHALL BE REQUIRED WHEN:
21

- 22 1. A PROPOSED PROJECT IS EXPECTED TO GENERATE A NET OF
23 TWO HUNDRED AND FIFTY ADDITIONAL DAILY TRIPS OR MORE
24 AS DETERMINED USING THE TRIP GENERATION RATES SET
25 FORTH IN THE EDITION OF THE TRIP GENERATION MANUAL,
26 PUBLISHED BY THE INSTITUTE OF TRANSPORTATION
27 ENGINEERS (ITE), IN EFFECT AT THE TIME OF THE FINAL
28 ADMINISTRATIVE APPROVAL OF THE PROJECT APPLICATION;
29 OR
30 2. THE FREQUENCY OF ACCIDENTS OR OTHER TRAFFIC SAFETY
31 ISSUES WITHIN THE 150 FEET DISTANCE DESCRIBED IN
32 22.21.040A3 HAVE BEEN IDENTIFIED; OR
33 3. THE PROPOSED ENTRANCES OR EXITS FROM THE PROPOSED
34 PROJECT ARE WITHIN 150 FEET FROM A STREET CLASSIFIED AS
35 A LOCAL ROAD OR A HIGHER FUNCTIONAL CLASSIFICATION
36 ON THE FUNCTIONAL CLASSIFICATION MAP AS SHOWN IN THE
37 CITY'S COMPREHENSIVE PLAN IN EFFECT AT THE TIME OF THE
38 FINAL ADMINISTRATIVE APPROVAL OF THE PROJECT
39 APPLICATION.
40

41 B. THE APPLICANT FOR A PROPOSED PROJECT THAT MEETS ANY OF THE
42 REQUIREMENTS IN 22.21.040(A) SHALL SUBMIT A TRAFFIC IMPACT
43 ANALYSIS (TIA) IN ACCORDANCE WITH "POLICIES AND GUIDELINES
44 FOR TRAFFIC IMPACT ANALYSIS FOR PROPOSED PROJECT IN THE
45 CITY OF ANNAPOLIS" IN EFFECT OF THE DATE OF THE SUBMISSION
46 OF THE APPLICATION.

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2 **22.21.050- STANDARDS.**

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4 A. EXISTING CITY, COUNTY AND STATE ROADS SHALL BE CONSIDERED
5 ADEQUATE TO ACCOMMODATE THE TRAFFIC PROJECTED TO BE
6 GENERATED BY THE PROPOSED PROJECT IF:
7
- 8 1. A PROPOSED PROJECT THAT GENERATES BETWEEN 250 AND 400
9 TRIPS PER DAY ON THE EXISTING AND PROPOSED CITY, COUNTY
10 AND STATE INTERSECTIONS IN ALL DIRECTIONS WITHIN ONE
11 QUARTER OF A MILE FROM EACH POINT OF ENTRANCE OF THE
12 PROPOSED PROJECT ARE CAPABLE OF ACCOMMODATING A
13 PROJECTED LEVEL OF SERVICE "D" AS DEFINED BY THE HIGHWAY
14 CAPACITY MANUAL PUBLISHED BY THE TRANSPORTATION
15 RESEARCH BOARD OF THE NATIONAL ACADEMY OF SCIENCES
16 AND AS AMENDED FROM TIME TO TIME.
 - 17 2. A PROPOSED PROJECT THAT GENERATES OVER 400 TRIPS PER DAY
18 ON THE EXISTING AND PROPOSED CITY, COUNTY AND STATE
19 INTERSECTIONS IN ALL DIRECTIONS WITHIN ONE HALF OF A MILE
20 FROM EACH POINT OF ENTRANCE OF THE PROPOSED PROJECT ARE
21 CAPABLE OF ACCOMMODATING A PROJECTED LEVEL OF SERVICE
22 "D" AS DEFINED BY THE HIGHWAY CAPACITY MANUAL
23 PUBLISHED BY THE TRANSPORTATION RESEARCH BOARD OF THE
24 NATIONAL ACADEMY OF SCIENCES AND AS AMENDED FROM TIME
25 TO TIME.
26
- 27 B. IF THE RESULTS OF THE TIA ARE THAT THE INTERSECTIONS IN THE
28 STUDY AREA WILL OPERATE BELOW LOS D WITH THE PROPOSED
29 PROJECT IN THE TOTAL TRAFFIC SCENARIO, THE REQUIRED
30 ROADWAY AND/OR INTERSECTION IMPROVEMENTS SHALL BRING
31 THE LEVEL OF SERVICE TO AT LEAST LOS D.
- 32 C. IF THE RESULTS OF THE TIA ARE THAT THE EXISTING OR
33 BACKGROUND LEVEL OF SERVICE IS "E" OR LOWER, THEN THE
34 APPLICANT SHALL MITIGATE THE PORTION OF TRIPS GENERATED
35 FROM THE PROPOSED PROJECT.
- 36 D. IF THE RESULTS OF THE TIA ARE THAT A PROJECT PROPOSAL IS
37 SUBJECT TO MITIGATE ITS PORTION OF TRIPS GENERATED FROM THE
38 SITE, THEN THE APPLICANT SHALL CONSTRUCT THE IMPROVEMENTS
39 AS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS OR THE
40 OPERATING AGENCY.
- 41 E. THE DEPARTMENT OF PLANNING AND ZONING SHALL PREPARE A
42 SCOPE OF SERVICES FOR THE TRAFFIC IMPACT ANALYSIS.
- 43 F. THE APPLICANT SHALL REMIT TO THE DIRECTOR OF THE
44 DEPARTMENT OF PLANNING AND ZONING SUFFICIENT FUNDS FOR
45 THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS PLUS AN
46 ADMINISTRATIVE FEE NOT TO EXCEED TEN PERCENT OF THE

1 PROJECTED COST OF THE TRAFFIC IMPACT ANALYSIS. IF THE COST
2 OF THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS EXCEEDS
3 THE FUNDS THAT THE APPLICANT HAS REMITTED TO THE
4 DEPARTMENT OF PLANNING AND ZONING, THE DIRECTOR SHALL
5 WITHHOLD APPROVAL UNTIL THE APPLICANT REMITS FULL
6 PAYMENT.

7 G. IF THE ROADWAY OR INTERSECTION THAT IS BEING CONSIDERED
8 FOR MITIGATION IS OWNED BY ANOTHER JURISDICTION SUCH AS
9 STATE HIGHWAY ADMINISTRATION OR ANNE ARUNDEL COUNTY,
10 THE OTHER JURISDICTION SHALL DECIDE MATTERS PERTAINING TO
11 THE IMPACT OF A PROPOSED PROJECT ON PUBLIC ROADS AND
12 INTERSECTION FACILITIES. THE CITY OF ANNAPOLIS SHALL MAKE A
13 FINDING AS TO WHETHER THE DECISION OF THE OTHER
14 JURISDICTION CONCURS WITH THE MITIGATING IMPROVEMENT(S)
15 THAT ARE PROPOSED BY THE APPLICANT.

16 H. CAPITAL PROJECTS WITH 100% OF THE CONSTRUCTION COSTS
17 ALLOCATED IN THE CITY OR COUNTY’S CURRENT YEAR ADOPTED
18 CAPITAL IMPROVEMENT PROGRAM OR APPROVED FOR
19 CONSTRUCTION IN THE CURRENT YEAR STATE CONSOLIDATED
20 TRANSPORTATION PROGRAM MAY BE UTILIZED IN THE TRAFFIC
21 ANALYSIS. NECESSARY IMPROVEMENTS IDENTIFIED IN THE TIA TO
22 MEET THE LEVEL OF SERVICE STANDARDS IN 22.21.050A SHALL BE
23 PROVIDED BY THE APPLICANT

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26 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY**
27 **THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date
28 of its passage.

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EXPLANATION

- UPPERCASE indicates matter added to existing law.
- ~~Strikethrough~~ indicates matter stricken from existing law.
- Underlining indicates amendments.