

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**

12 **Referred to**
 13 Planning Commission
 14 Rules and City Government Committee
 15 Transportation Committee

16 **AN ORDINANCE** concerning

17 **Adequate Public Facilities - Auto transportation facilities**

18
 19 **FOR** The purpose of clarifying the circumstances that would require a traffic impact
 20 analysis for a proposed project; clarifying the standards to be used to determine
 21 adequacy; and generally relating to the adequacy of auto transportation facilities.
 22
 23

24
 25 **BY** repealing and re-enacting with amendments the following portions of the Code of
 26 the City of Annapolis, 2019 Edition
 27 22.21.010
 28

29 **BY** adding the following portions to the Code of the City of Annapolis, 2019 Edition
 30 22.21.020
 31 22.21.030
 32 22.21.040
 33 22.21.050
 34

35
 36 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS**
 37 **CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as
 38 follows:
 39

40 **TITLE 22 – ADEQUATE PUBLIC FACILITIES**

41
 42 **Chapter 22.21 - REVIEW CRITERIA AND CERTIFICATION FOR AUTO**
 43 **TRANSPORTATION FACILITIES**
 44

45 **22.21.010 - RESPONSIBILITY**

46
 47 THE DIRECTOR OF PLANNING AND ZONING SHALL BE RESPONSIBLE FOR

1 REVIEW AND ASSESSMENT OF A PROPOSED PROJECT WITH REGARD TO
2 THE ADEQUACY OF AUTO TRANSPORTATION FACILITIES. THE REVIEW
3 AND ASSESSMENT SHALL CONSIDER RECOMMENDATIONS OF THE
4 DIRECTOR OF PUBLIC WORKS.
5

6
7 **22.21.020 - GOAL.**

8
9 THE GOAL OF ADEQUATE AUTO TRANSPORTATION FACILITIES IS TO
10 ENSURE THAT ANY PROJECT MEETING THE APPLICABILITY CRITERIA IN
11 SECTION 22.21.040 OF THIS CHAPTER THAT FAILS TO MEET THE ADEQUACY
12 STANDARDS IN SECTION 22.21.050 OF THIS CHAPTER MITIGATES THE
13 PROPOSED PROJECTS' IMPACT ON THOSE PUBLIC ROADS AND INTERSECTION
14 FACILITIES.
15

16 **22.21.030 - EXEMPTIONS.**

17
18 THERE ARE NO EXEMPTIONS UNDER THIS CHAPTER FOR ANY PROPOSED
19 PROJECTS.
20

21 **22.21.40 – APPLICABILITY.**

22
23 A. NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS TITLE, A
24 TRAFFIC IMPACT ANALYSIS SHALL BE REQUIRED WHEN:
25

- 26 1 A PROPOSED PROJECT IS EXPECTED TO GENERATE A NET OF
27 **250** ADDITIONAL DAILY TRIPS OR MORE AS DETERMINED
28 USING THE TRIP GENERATION RATES SET FORTH IN THE
29 EDITION OF THE TRIP GENERATION MANUAL, PUBLISHED BY
30 THE INSTITUTE OF TRANSPORTATION ENGINEERS (**ITE**), IN
31 EFFECT AT THE TIME OF FINAL ADMINISTRATIVE APPROVAL
32 OF THE PROJECT APPLICATION; OR
- 33 2 THE FREQUENCY OF ACCIDENTS OR OTHER TRAFIC SAFETY
34 ISSUES WITHIN THE 150 FEET DISTANCE DESCRIBED IN
35 2.21.040.A.3 HAVE BEEN IDENTIFIED OR,
- 36 3 THE PROPOSED ENTRANCES OR EXITS FROM THE PROPOSED
37 PROJECT ARE WITHIN 150 FEET FROM A STREET CLASSIFIED
38 AS A LOCAL ROAD OR A HIGHER FUNCTIONAL
39 CLASSIFICATION ON THE FUNCTIONAL CLASSIFICATION MAP
40 AS SHOWN IN THE CITY'S COMPREHENSIVE PLAN IN EFFECT
41 AT THE TIME OF THE FINAL ADMINISTRATIVE APPROVAL OF
42 THE PROJECT APPLICATION.
43

44 B. THE APPLICANT FOR A PROPOSED PROJECT THAT MEETS ANY OF
45 THE REQUIREMENTS IN 22.21.040(A) SHALL SUBMIT A TRAFFIC
46 IMPACT ANALYSIS IN ACCORDANCE WITH "POLICIES AND GUIDELINES
47 FOR TRAFFIC IMPACT ANALYSIS FOR PROPOSED PROJECT IN THE CITY OF
48 ANNAPOLIS" IN EFFECT OF THE DATE OF THE SUBMISSION OF THE
49 APPLICATION.
50

51 **22.21.050- STANDARDS.**

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
- A. EXISTING CITY, COUNTY AND STATE ROADS SHALL BE CONSIDERED ADEQUATE TO ACCOMMODATE THE TRAFFIC PROJECTED TO BE GENERATED BY THE PROPOSED PROJECT IF:
- 1 A PROPOSED PROJECT THAT GENERATES AT LEAST 250 BUT NOT MORE THAN 400 TRIPS PER DAY ON THE EXISTING AND PROPOSED CITY, COUNTY AND STATE INTERSECTIONS IN ALL DIRECTIONS WITHIN ONE QUARTER OF A MILE FROM EACH POINT OF ENTRANCE TO OR EGRESS FROM THE PROPOSED PROJECT ARE CAPABLE OF ACCOMMODATING A PROJECTED LEVEL OF SERVICE “D” AS DEFINED BY THE HIGHWAY CAPACITY MANUAL PUBLISHED BY THE TRANSPORTATION RESEARCH BOARD OF THE NATIONAL ACADEMY OF SCIENCES AND AS AMENDED FROM TIME TO TIME.
 - 2 A PROPOSED PROJECT THAT GENERATES MORE THAN 400 TRIPS PER DAY ON THE EXISTING AND PROPOSED CITY, COUNTY AND STATE INTERSECTIONS IN ALL DIRECTIONS WITHIN ONE HALF OF A MILE FROM EACH POINT OF ENTRANCE TO OR EGRESS FROM THE PROPOSED PROJECT ARE CAPABLE OF ACCOMMODATING A PROJECTED LEVEL OF SERVICE “D” AS DEFINED BY THE HIGHWAY CAPACITY MANUAL PUBLISHED BY THE TRANSPORTATION RESEARCH BOARD OF THE NATIONAL ACADEMY OF SCIENCES AND AS AMENDED FROM TIME TO TIME.
- B. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS ARE THAT THE INTERSECTIONS IN THE STUDY AREA WILL OPERATE BELOW LEVEL OF SERVICE (LOS) “D” WITH THE PROPOSED PROJECT IN THE YEAR OF COMPLETION AND THE INTERSECTIONS IN THE PROPOSED STUDY AREA WOULD NOT OPERATE AT OR BELOW LEVEL OF SERVICE “D” WITHOUT THE PROPOSED PROJECT, THE REQUIRED ROADWAY AND/OR INTERSECTION IMPROVEMENTS SHALL BRING THE LEVEL OF SERVICE TO AT LEAST A LEVEL OF SERVICE OF “D”.
- C. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS ARE THAT THE EXISTING INTERSECTIONS IN THE STUDY AREA OPERATE AT A LEVEL OF SERVICE “E” OR BELOW, OR IF THE TRAFFIC IMPACT ANALYSIS SHOWS THE INTERSECTIONS IN THE STUDY AREA ARE EXPECTED TO HAVE A LEVEL OF SERVICE OF “E” OR BELOW IN THE YEAR OF THE PROJECT’S COMPLETION WITHOUT THE PROPOSED PROJECT, THEN THE APPLICANT SHALL MITIGATE THE TRIPS GENERATED BY THE PROPOSED PROJECT.
- D. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS ARE THAT A PROJECT PROPOSAL IS SUBJECT TO MITIGATE THE TRIPS GENERATED FROM THE PROJECT, THEN THE APPLICANT SHALL CONSTRUCT THE IMPROVEMENTS AS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS.
- E. THE DEPARTMENT OF PLANNING AND ZONING SHALL PREPARE A SCOPE OF SERVICES FOR THE TRAFFIC IMPACT ANALYSIS.
- F. THE APPLICANT SHALL REMIT TO THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING SUFFICIENT FUNDS FOR THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS PLUS AN ADMINISTRATIVE FEE NOT TO EXCEED TEN PERCENT OF THE PROJECTED COST OF THE TRAFFIC IMPACT ANALYSIS. IF THE COST OF THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS EXCEEDS

1 THE FUNDS THAT THE APPLICANT HAS REMITTED TO THE
2 DEPARTMENT OF PLANNING AND ZONING, THE DIRECTOR SHALL
3 WITHHOLD APPROVAL UNTIL THE APPLICANT REMITS FULL
4 PAYMENT.

5 G. IF THE ROADWAY OR INTERSECTION THAT IS BEING CONSIDERED
6 FOR MITIGATION IS OWNED BY ANOTHER JURISDICTION THE
7 DIRECTOR OF PLANNING AND ZONING SHALL ASK THE OTHER
8 JURISDICTION TO PROVIDE COMMENTS ON THE IMPACT OF THE PROPOSED
9 PROJECT, AND THE DIRECTOR SHALL CONSIDER ANY COMMENTS
10 PROVIDED IN MAKING A DETERMINATION OF WHETHER THE MITIGATING
11 IMPROVEMENTS PROPOSED BY THE APPLICANT ARE SUFFICIENT TO MEET
12 THE STANDARDS.

13 H. CAPITAL PROJECTS WITH 100% OF THE CONSTRUCTION COSTS
14 APPROPRIATED IN THE CITY OR COUNTY'S CAPITAL BUDGET OR
15 APPROVED FOR CONSTRUCTION IN THE CURRENT YEAR STATE
16 CONSOLIDATED TRANSPORTATION PROGRAM MAY BE UTILIZED IN THE
17 TRAFFIC ANALYSIS. NECESSARY IMPROVEMENTS IDENTIFIED IN THE T_
18 RAFFIC IMPACT ANALYSIS TO MEET THE LEVEL OF SERVICE
19 STANDARDS IN 22.21.050A SHALL BE PROVIDED BY THE APPLICANT.

20
21 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
22 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its
23 passage.

24
25
26 **EXPLANATION**

27 UPPERCASE indicates matter added to existing law.

28 ~~Strikethrough~~ indicates matter stricken from existing law.

29 Underlining indicates amendments.