

1 **..Title**

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

6 **..Body**

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

9
10 **Ordinance 19-19 as Amended on Second Reading 6/22/20**

11
12 **Introduced by: Alderman Arnett**

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

18
19 **AN ORDINANCE** concerning

20
21 **Adequate Public Facilities - Auto transportation facilities**

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

26
27 **BY** repealing the following portion of the Code of the City of Annapolis, 2020 Edition
28 22.21.010

29
30 **BY** adding the following portions to the Code of the City of Annapolis, 2020 Edition
31 22.21.010
32 22.21.020
33 22.21.030
34 22.21.040
35 22.21.050

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

40
41 **TITLE 22 – ADEQUATE PUBLIC FACILITIES**

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

45

1 **22.21.010 - RESPONSIBILITY**

2
3 THE DIRECTOR OF PLANNING AND ZONING SHALL BE RESPONSIBLE FOR REVIEW
4 AND ASSESSMENT OF A PROPOSED PROJECT WITH REGARD TO THE ADEQUACY OF
5 AUTO TRANSPORTATION FACILITIES. THE REVIEW AND ASSESSMENT SHALL
6 CONSIDER RECOMMENDATIONS OF THE DIRECTOR OF PUBLIC WORKS.
7

8 **22.21.020 - GOAL.**

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

16 **22.21.030 - EXEMPTIONS.**

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

21 **22.21.040 – APPLICABILITY.**

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

- 26 1. A PROPOSED PROJECT IS EXPECTED TO GENERATE A NET OF 250
27 ADDITIONAL DAILY TRIPS OR MORE AS DETERMINED USING THE TRIP
28 GENERATION RATES SET FORTH IN THE EDITION OF THE TRIP
29 GENERATION MANUAL, PUBLISHED BY THE INSTITUTE OF
30 TRANSPORTATION ENGINEERS (ITE), IN EFFECT AT THE TIME OF FINAL
31 ADMINISTRATIVE APPROVAL OF THE PROJECT APPLICATION; OR
- 32 2. THE FREQUENCY OF ACCIDENTS OR OTHER TRAFFIC SAFETY ISSUES
33 WITHIN THE 150 FEET DISTANCE DESCRIBED IN 22.21.040.A.3 HAVE BEEN
34 IDENTIFIED; OR
- 35 3. THE PROPOSED ENTRANCES OR EXITS FROM THE PROPOSED PROJECT ARE
36 WITHIN 150 FEET FROM A STREET CLASSIFIED AS A LOCAL ROAD OR A
37 HIGHER FUNCTIONAL CLASSIFICATION ON THE FUNCTIONAL
38 CLASSIFICATION MAP AS SHOWN IN THE CITY'S COMPREHENSIVE PLAN IN
39 EFFECT AT THE TIME OF THE FINAL ADMINISTRATIVE APPROVAL OF THE
40 PROJECT APPLICATION.
41

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

1
2 **22.21.050- STANDARDS.**
3

4 A. EXISTING CITY, COUNTY, AND STATE ROADS SHALL BE CONSIDERED
5 ADEQUATE TO ACCOMMODATE THE TRAFFIC PROJECTED TO BE GENERATED
6 BY THE PROPOSED PROJECT IF:
7

8 1. A PROPOSED PROJECT THAT GENERATES AT LEAST 250 BUT NOT MORE
9 THAN 400 TRIPS PER DAY ON THE EXISTING AND PROPOSED CITY, COUNTY,
10 AND STATE INTERSECTIONS IN ALL DIRECTIONS WITHIN ONE QUARTER OF
11 A MILE FROM EACH POINT OF ENTRANCE TO OR EGRESS FROM THE
12 PROPOSED PROJECT ARE CAPABLE OF ACCOMMODATING A PROJECTED
13 LEVEL OF SERVICE “D” AS DEFINED BY THE HIGHWAY CAPACITY MANUAL
14 PUBLISHED BY THE TRANSPORTATION RESEARCH BOARD OF THE
15 NATIONAL ACADEMY OF SCIENCES, AS AMENDED FROM TIME TO TIME.
16

17 2. A PROPOSED PROJECT THAT GENERATES MORE THAN 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 FROM
20 EACH POINT OF ENTRANCE TO OR EGRESS FROM THE PROPOSED PROJECT
21 ARE CAPABLE OF ACCOMMODATING A PROJECTED LEVEL OF SERVICE “D”
22 AS DEFINED BY THE HIGHWAY CAPACITY MANUAL PUBLISHED BY THE
23 TRANSPORTATION RESEARCH BOARD OF THE NATIONAL ACADEMY OF
24 SCIENCES, AS AMENDED FROM TIME TO TIME.
25

26 B. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS (ITA) ARE THAT THE
27 INTERSECTIONS IN THE STUDY AREA WILL OPERATE BELOW LEVEL OF
28 SERVICE (LOS) “D” WITH THE PROPOSED PROJECT IN THE YEAR OF
29 COMPLETION AND THE INTERSECTIONS IN THE PROPOSED STUDY AREA
30 WOULD NOT OPERATE AT OR BELOW LEVEL OF SERVICE “D” WITHOUT THE
31 PROPOSED PROJECT, THE REQUIRED ROADWAY AND/OR INTERSECTION
32 IMPROVEMENTS SHALL BRING THE LEVEL OF SERVICE TO AT LEAST A LEVEL
33 OF SERVICE OF “D”.
34

35 C. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS (ITA) ARE THAT THE
36 EXISTING INTERSECTIONS IN THE STUDY AREA OPERATE AT A LEVEL OF
37 SERVICE “E” OR BELOW, OR IF THE TRAFFIC IMPACT ANALYSIS SHOWS THE
38 INTERSECTIONS IN THE STUDY AREA ARE EXPECTED TO HAVE A LEVEL OF
39 SERVICE OF “E” OR BELOW IN THE YEAR OF THE PROJECT’S COMPLETION
40 WITHOUT THE PROPOSED PROJECT, THEN THE APPLICANT SHALL MITIGATE
41 THE TRIPS GENERATED BY THE PROPOSED PROJECT.
42

43 D. IF THE RESULTS OF THE TRAFFIC IMPACT ANALYSIS (ITA) ARE THAT A
44 PROJECT PROPOSAL IS SUBJECT TO MITIGATE THE TRIPS GENERATED FROM
45 THE PROJECT, THEN THE APPLICANT SHALL CONSTRUCT THE IMPROVEMENTS
46 AS REQUIRED BY THE DEPARTMENT OF PUBLIC WORKS.

- 1 E. THE DEPARTMENT OF PLANNING AND ZONING SHALL PREPARE A SCOPE OF
2 SERVICES FOR THE TRAFFIC IMPACT ANALYSIS.
3
- 4 F. THE APPLICANT SHALL REMIT TO THE DIRECTOR OF THE DEPARTMENT OF
5 PLANNING AND ZONING SUFFICIENT FUNDS FOR THE COMPLETION OF THE
6 TRAFFIC IMPACT ANALYSIS PLUS AN ADMINISTRATIVE FEE NOT TO EXCEED
7 TEN PERCENT OF THE PROJECTED COST OF THE TRAFFIC IMPACT ANALYSIS.
8 IF THE COST OF THE COMPLETION OF THE TRAFFIC IMPACT ANALYSIS
9 EXCEEDS THE FUNDS THAT THE APPLICANT HAS REMITTED TO THE
10 DEPARTMENT OF PLANNING AND ZONING, THE DIRECTOR SHALL WITHHOLD
11 APPROVAL UNTIL THE APPLICANT REMITS FULL PAYMENT.
12
- 13 G. IF THE ROADWAY OR INTERSECTION THAT IS BEING CONSIDERED FOR
14 MITIGATION IS OWNED BY ANOTHER JURISDICTION, THE DIRECTOR OF
15 PLANNING AND ZONING SHALL ASK THE OTHER JURISDICTION TO PROVIDE
16 COMMENTS ON THE IMPACT OF THE PROPOSED PROJECT, AND THE DIRECTOR
17 SHALL CONSIDER ANY COMMENTS PROVIDED IN MAKING A DETERMINATION
18 OF WHETHER THE MITIGATING IMPROVEMENTS PROPOSED BY THE
19 APPLICANT ARE SUFFICIENT TO MEET THE STANDARDS.
20
- 21 H. CAPITAL PROJECTS WITH 100% OF THE CONSTRUCTION COSTS APPROPRIATED
22 IN THE CITY OR COUNTY'S CAPITAL BUDGET OR APPROVED FOR
23 CONSTRUCTION IN THE CURRENT YEAR STATE CONSOLIDATED
24 TRANSPORTATION PROGRAM MAY BE UTILIZED IN THE TRAFFIC ANALYSIS.
25 NECESSARY IMPROVEMENTS IDENTIFIED IN THE TRAFFIC IMPACT ANALYSIS
26 (~~TIA~~) TO MEET THE LEVEL OF SERVICE STANDARDS IN 22.21.050.A SHALL BE
27 PROVIDED BY THE APPLICANT.
28

29 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
30 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.
31

32
33 **EXPLANATION**

34 UPPERCASE indicates matter added to existing law.

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

36 Underlining indicates amendments.