ORDINANCE NO. 1117

AN ORDINANCE ESTABLISHING GUIDELINES AND PROCEDURES FOR A TRAFFIC IMPACT ANALYSIS AS A PRECONDITION TO CODE COMPLIANCE REVIEW BY STAFF OF CERTAIN PROJECTS AND/OR DEVELOPMENTS.

WHEREAS, the City of Kemah is a significant tourist destination with a boardwalk and entertainment area that encompasses a large portion of the footprint of the City. Delays or pot holes or street disrepair caused by heavy tourist use of streets is a serious economic development concern and has the attention of the City Council and the KCDC (economic development entity of the city). That entertainment area development generates significant sales and hotel occupancy tax revenues that are vital to the city and the KCDC and overall property values within the city; and

WHEREAS, that concentration of significant tourist destinations generates greatly increased traffic that directly impacts the desirability of the city as a destination and therefore the volume of consumer/tourists who endure the traffic impact and delays; and

WHEREAS, any reduction in tourist attendance directly reduces and negatively impacts the city and KCDC revenues from Sales Tax and revenues to the city from the Hotel Occupancy Tax.

Now Therefore Be It Ordained By The City Council of the City of Kemah, Texas that:

Section One: The City staff is hereby directed and empowered to create, implement and utilize forms and a process for a Traffic Impact Analysis (TIA) (procedure and format) and to require the use of same as a tool for assistance in the analysis and approval of any residential or commercial development greater than 25 acres or that generates 100 trips/peak hour or 1,000 trips/day and on all public improvements, if, as and when it is preliminarily determined that the development may or shall have a significant impact on the traffic flow and/or on the City street system. The City Engineer has the right to require or not require a TIA as he or she deems necessary

Section Two: Guidelines to be followed in the use of a TIA:

- A process for determining when the TIA is to be required.
- The process and actual form for submitting the application For the TIA – from either the staff or the Developer.
- The format of the TIA.

The purpose of the Guidelines is to insure that the necessary information is marshaled and assembled in a usable format that shall allow staff to review same and make informed comparisons, comments/and decisions about traffic impact in a timely and efficient manner before significant staff time is devoted to plan and use review in the normal enforcement process of verification of code compliance for a project. The TIA is intended as a tool to assist the City with its overall goal of traffic management, street maintenance and tourist attraction and not as a code to be enforced by penalties as is common with code and ordinance provisions. Provided, however, it shall be appropriate for the staff to require the TIA, when applicable, before it commences any review of applications for permits for any development falling into applicable categories needing a TIA.

Staff shall develop forms and procedures consistent with these general guidelines. Should it be necessary for council to amend these guidelines in the future, it may be done by resolution instead of ordinance. This TIA is in addition to and not in replacement of any code or ordinance compliance issues, approvals or permits. Attached hereto as Exhibit "A" and incorporated herein by reference is a suggested CODE ANALYSIS REQUIREMENTS form that staff shall utilize but may modify if needed.

Section Three: Purpose. A Traffic Impact Analysis is intended to coordinate land use and transportation facility development and to adequately assess the traffic-related impacts of a development proposal on the existing and planned thoroughfare system. It is a means of identifying strategies and solutions to current and future traffic problems. The results of this analysis should:

- Compare the traffic generated to thoroughfare system capacity;
- Address the City's requirements;
- Establish proportionate mitigation measures for the identified impacts;
- Recommend the safest and most efficient transportation system in conjunction with the development process.

Section Four: When Required. The City may require a TIA if the development meets one of the following conditions:

- Any Development within range of **one** of the following thresholds at the platting, site plan or general plan stage:
  - Generates ~100 trips/peak hour
  - Generates ~1000 trips/day
  - 25 acres or more is involved in the development

Section Five: Worksheet Submittal. The submission of a completed TIA Trip Generation Worksheet is the first step in the process. Upon review of this Worksheet, Engineering staff will determine the need for a TIA. The Trip Generation Worksheet is included in the City's plat and site plan applications and is also available on the City website. This worksheet shall be submitted with each plat and/or site plan that does not have an approved TIA on file for the development.

The worksheet shall be filled out using the latest edition of the ITE Trip Generation Manuals.

If the type of development use is not known at the time of the submittal then the Developer should make assumptions based on the worst-case scenario for the site. At a minimum, the following items need to be evaluated if this is the case:

- The type of land use.
- The maximum amount of developable land based on setbacks and other restrictions (ie: detention, etc.).
- Logical assumptions by the developer.
- Adjacent land uses.

If the proposed development is not listed in the ITE Trip Generation Manual, then the City shall require a letter from a licensed engineer. This letter will document the type of development proposed and identify the number of trips generated based on their professional opinion in lieu of the Trip Generation Worksheet. This letter should be signed and sealed by a registered professional engineer with adequate experience in transportation/traffic engineering. The previously stated guidelines/thresholds shall apply to this letter.

<u>Section Six</u>: Preliminary Engineering Meeting. If it is determined that a TIA must be performed then the developer and their consultant engineer shall schedule a meeting with the City's Engineering staff to determine the scope of the TIA and the requirements for the TIA content. Additionally, any applicable standards and methodologies (TxDOT, Galveston County, etc) shall be identified in this meeting.

It is strongly recommended that this meeting take place before any work is done on the TIA. Any work completed without the City's knowledge or input is at the applicant's risk and the City reserves to have the applicant revise the TIA without a formal review or comments.

Non-conformance by the applicant to the scope and criteria set by the City may result in an incomplete submittal of the TIA. As a result of this the City reserves the right to stop review and require the applicant to revise the TIA without any formal comments.

<u>Section Seven</u>: Traffic Impact Analysis Data Sources. To provide consistency in the evaluation process and to ensure that the TIA will be based on acceptable study methodologies and data sources, the standards listed below shall apply, where applicable:

Source
Trip generation rates
ITE Trip Generation Handbooks
Trip reductions for passer-by trips and mixed-use developments

ITE Trip Generation Handbooks
Future traffic volumes
Houston- Galveston Area Council, Galveston County
Capacity analyses procedures
Current Transportation Research Board Highway Capacity Manual—Special Report 209
Signal warrants
Texas Manual on Uniform Traffic Control Devices
Signal timing procedures
Synchro traffic model

The traffic data should be no more than one year old unless there has not been any significant change to the area.

Section Eight: Format of the TIA Submittal. The TIA should be prepared in an 8 1/2" x 11" format; however, it may contain figures on larger sheets, provided they are folded to this size. It must be signed and sealed by a registered professional engineer.

Section Nine: Exhibits. At a minimum the following exhibits shall be provided in a clear and consistent manner in the applicable sections of the TIA:

- Clearly show and distinguish between all existing, proposed and future facilities on the site
- Clearly delineate and distinguish between all existing and proposed traffic improvements including but not limited to turn lanes and driveways.
- Clearly show all applicable traffic counts at all existing and proposed intersections and driveways.

Section Ten: Traffic Impact Analysis. The various sections of the report should be categorized according to the subject areas below:

I. Executive Summary

Key Findings, Recommendations

II. Introduction

Proposed Development, Study Purpose and Methodology, Traffic Operations Analysis

III. Existing Conditions

Study Area Roadway Network, Existing Land Use, Existing Traffic Volumes, Analysis of Existing Conditions, Project Specific Conditions (ie. Railroads, etc.)

IV. Trip Generation and Distribution

Proposed Development, Trip Generation, Adjusted Trips, Trip Distribution

V. Pre and Post Development Comparative Analysis (Use a new section for each Phase if the development has multiple phases)

Background Traffic Conditions, Background Level of Service, Total Traffic Conditions, Total Traffic Level of Service, Total Traffic – Mitigation Measures

VI. Conclusions (Expand on Executive Summary)

Key Findings, Recommendations

VII. List of all Tables (w/Page Numbers)

VIII. List of all Figures (w/Page Numbers)

IX. Appendices

Notes from Preliminary Meeting with City Staff, Response to City Comments, include City Comment Letter (for resubmittals only), Existing 24-Hour Directional Traffic Counts, Existing AM & PM Peak Hour Turning Movement Volumes, SYNCHRO Capacity Analysis – Existing AM & PM Peak Hour, Trip Generation Data, SYNCHRO Capacity Analysis - Project Completion/Phase # (year 20##) AM & PM Peak hour (Use a new appendix for each Phase # as needed), Signal Warrant Analysis (As Needed)

AND IT IS SO ORDERED

APPROVED ON FIRST READING THIS THE 3RD DAY OF SEPTEMBER, 2014.

PASSED AND APPROVED ON SECOND READING THIS THE 17TH DAY OF SEPTEMBER, 2014.

ROBERT M. CUMMINS, Mayor

ATTEST:

MARISELA GARCIA, City Secretary

CODE ANALYSIS REQUIREMENTS

This form applies to the following developments/projects:

- New Residential Developments greater than four dwellings units (both single family and multifamily);
- New Commercial Developments greater than 1/4 acre <u>or</u> $50,000 in value;
- All Changes of Use from Residential to Commercial
- All Changes of Use from Commercial to Residential
- All Commercial Changes of Occupancy Classification

Code Analysis must include a review of ordinances regarding:

- Building Code (Residential and Commercial)
- Electrical Code
- Mechanical Code
- Plumbing Code
- Energy Code
- Fire Code
- Floodplain Compliance
- Subdivision Ordinance
- Parking Ordinance
- Drainage/Detention Requirements
- Stormwater Pollution Prevention Plan (SWPPP)
- Grading Requirements
- Landscaping Requirements
- Commercial Fencing Requirements
- Letter of Capacity or Concurrence for Water and Sanitary Sewer Service from the Municipal Utility or Water District of Record.
- Signed Affadavit of compliance with Ordinance 1120, regarding compliance with any Restrictive Covenants applicable to the property.

*Traffic Impact Analysis if applicable. See Ordinance No. 1117

Other ordinances as officially requested below:

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Date This Document Received. _________________

Signature of Recipient. _________________

Date City Receives signature stating ordinances reviewed. ________________

Signature of Individual delivering information to City. _______________

City Representative Signature and date. ________________

NOTE: copy of this completed document kept by City Of Kemah, and property owner.