City of El Paso – City Plan Commission Staff Report

Amendment to Title 19
Traffic Impact Analysis (TIA)

The City Manager has directed staff in to implement application processing changes and code amendments that are intended to streamline and simplify the land development review process.

The City's Department of Transportation prepared this amendment to the Traffic Impact Analysis section of Title 19, which will allow a developer to request an alternative method to be used in measuring the traffic impact of a proposed development when certain criteria are satisfied.

Additionally, several Tables in the Chapter have been modified to reflect time frames to be analyzed in the TIA, depending on the number of vehicle trips generated by the development.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.18 (TRAFFIC IMPACT ANALYSIS), OF THE EL PASO CITY CODE TO AMEND THE TRAFFIC IMPACT ANALYSIS STANDARDS AND REQUIREMENTS. THE PENALTY IS AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities; and,

WHEREAS, the construction of adequate public infrastructure improvements necessary to adequately serve and support new development is a key component to safe development; and,

WHEREAS, the Subdivision Ordinance currently requires a traffic impact analysis for new development to assist in determining whether public infrastructure improvements are necessary to support and serve new development; and,

WHEREAS, the City Plan Commission has recommended approval of the amendments, and the El Paso City Council finds that the amendments proposed herein will further protect and provide for the public health, safety, morals and general welfare of the community, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 19, Subdivisions, Chapter 19.18, Traffic Impact Analysis, of the El Paso City Code, is hereby amended as follows:

19.18.010 - Purpose and applicability.

A. Purposes and Findings.

1. New development must be served and supported by an adequate network of streets and thoroughfares.

2. Streets and thoroughfares are an essential component of the city's street network and are necessary to accommodate the continuing growth and development of the city.

3. It is necessary and desirable to obtain rights-of-way for off-site, abutting and internal thoroughfares to support new development at the time of platting, rezoning or development of the land.

4. The purpose of the provisions within this Chapter are to ensure that both development impacts on off-site and on-site thoroughfare rights-of-way are mitigated through

contributions and/or improvements of thoroughfare rights-of-way and that new development does not contribute more than their proportionate share of costs or construction of thoroughfare rights-of-way and only contribute that which is necessary and attributable to their development.

5. It is the city's intent to assure that dedication of thoroughfare and street rights-of-way and their construction requirements are proportional to the traffic demands created by a new development.

6. It is the intent of the city that a road adequacy determination be made concurrent with consideration and approval of rezoning applications and development applications.

B. Applicability.

1. A traffic impact analysis (TIA), in adherence to standards contained within this title and City of El Paso approved guidelines, shall be required under the following criteria:

a. For all proposed developments within the city limits and within the city's extraterritorial jurisdiction where the development is expected to generate traffic in excess of one thousand average daily trips.

b. If a development project will generate more than one hundred peak hour trips.

2. The number of trips generated by the proposed development shall be based on land uses and intensities according to the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual or locally approved trip generation rates. The daily trip generation rate shall be computed based upon the maximum land use intensity allowed under the proposed new zoning.

3. Exceptions. An applicant may request that the city manager or designee waive the requirement for a TIA. The requirement for a TIA may be waived under the following criteria:

a. The city manager or designee determine that a TIA is not needed due to traffic analysis or traffic studies already completed; or,

b. Improvements are already, constructed that will serve and support the new development; or,

4. Alternative Method of Calculating Traffic Impact.

a. In lieu of a traffic impact analysis, the developer or applicant may request that the city accept an alternative method of calculating the impact that the new development will have on traffic and thoroughfare rights-of-way.

b. Factors to consider in determining whether to accept an alternate method of calculating the traffic impact are:

(1) The proposed development generates less than 500 peak hour trips; and,
(2) The abutting existing roadway segments LOS is an A, B, C, or D; and,

(3) Existing signalized intersections LOS is an A, B, C, or D; and,

(4) There are no existing safety problems (sight distance, high crash incidence rate, etc.)

(5) Whether the data used in the calculation is recent (pending clarify on recent).

c. Upon review and analysis of the data and information provided by the applicant or developer, the city manager or designee may accept the calculation and base any mitigation required or proportionate share or contribution on the calculations submitted by the developer.

19.18.020 - Standards for and timing of traffic impact analysis.

A. TIA and Update Required. A TIA shall be submitted with a zoning application, a preliminary plat or with the land study. If previously submitted, an updated TIA shall also be submitted with the final plat if substantial changes have been made from the preliminary plat, and shall be generally consistent with the TIA submitted with the preliminary plat. The initial TIA may also be updated whenever the plan for the proposed development is modified to authorize more intensive development.

B. Contents.

1. The TIA on a land study (or preliminary plat or zoning application if no land study is provided) shall identify or determine the following:

a. Trips to be generated by the proposed development trip generation shall be calculated using the latest edition of ITE's Trip Generation Manual or trip generation rates approved by the City of El Paso;

b. Distribution and assignment of such trips to the road network analyzed;

c. The capacity of affected thoroughfares before and after the proposed development. Capacity shall be quantified by level-of-service based on the latest version of the Highway Capacity Manual. The volume to capacity ratio (v/c) shall be included in the level-of-service tables. The capacity analysis shall include the AM and PM peak hours, twenty-four-hour, and special times or days of the week dependant of the land use's peak traffic generating time periods as determined from the latest version of ITE's Trip Generation Manual. Additional factors such as pedestrian trips, bicycles, and mass transit as possibly mitigating vehicle trip counts shall be considered where warranted;

d. Deficient thoroughfares or roadways shall be determined based upon the minimum acceptable level-of-service as put forth in the following table:

Table 19.18-1. Required Minimum Acceptable

Level-of-Service (Roadways)

		Level-of-Service Without Proposed Development					
Proposed Developed Projected Level-of-Service		A	B	C	D	E	F
	A	A	-	-	-	-	-
	B	B	B	-	-	-	-
	C	B	C	C	-	-	-
	D	B	C	C	[A]D	-	-
	E	B	C	C	[A]D	[AB]E	-
	F	B	C	C	[A]D	[AB]E	[AB]F

[A] The city may choose to participate in roadway improvements to restore a minimum level-of-service C.

[B] In cases where the level-of-service of the roadway network without development is below a level-of-service D the proposed development shall not increase roadway intersection delay. The city manager or designee may deem that the proposed development cannot be supported by the existing roadway network.

e. The development project's proportionate share of the costs of such thoroughfares and modifications including rights-of-way.

2. The TIA on a preliminary plat and a zoning application (or building permit if not submitted previously, or final plat if no preliminary is provided) shall identify or determine the following:

a. Turning movements at intersections, access points and median breaks;

b. Analysis of median breaks, ingress and egress and all intersections, including a queue analysis, for both AM and PM peak hours and special times or days of the week dependant of the land use's peak traffic generating time periods as determined from the latest version of ITE's Trip Generation Manual;

c. The capacity of affected intersections before and after the proposed development shall be reported, based on the latest version of the Highway Capacity Manual,

adjusted to reflect existing signal timing plans. The volume to capacity ratio (v/c) shall be included in the intersection level-of-service tables;

d. Deficient intersections and capacity. Deficient intersections shall be determined based upon the minimum acceptable level-of-service as put forth in the following table:

Table 19.18-2. Required Minimum Acceptable

Level-of-Service (Intersections)

		Level-of-Service Without Proposed Development					
Proposed Developed Projected Level-of-Service		A	B	C	D	E	F
	A	A	-	-	-	-	-
	B	B	B	-	-	-	-
	C	B	C	C	-	-	-
	D	B	C	C	[A]D	-	-
	E	B	C	C	[A]D	[AB]E	-
	F	B	C	C	[A]D	[AB]E	[AB]F

[A] The city may choose to participate in roadway improvements to restore a minimum level-of-service C.

[B] In cases where the level-of-service of the roadway network without development is below a level-of-service D the proposed development shall not increase roadway intersection delay. The city manager or designee may deem that the proposed development cannot be supported by the existing roadway network.

e. Specific recommendations for thoroughfare, intersection, and roadway improvements and traffic control modifications and other traffic improvements to mitigate the traffic from the proposed development (any proposed signal timing must include the entire coordinated system not just intersections within the TIA study area);

f. The development project's proportionate share of the costs of such improvements

and modifications including rights-of-way; and

g. Specific recommendations including but not limited to bus turnouts, auxiliary lanes, traffic calming, location of access points, location of median cuts, parking lot layout and site distance.

3. The method of preparing the TIA shall be determined by the city traffic engineer.

C. Capital Improvements Plan for Roads. The capacity of a thoroughfare may be considered adequate for purposes of a TIA if a needed improvement is included, funded, and approved in the city's, county's or state's two-year capital improvements plan for roads, or, if the improvement is included, funded, and approved in the city's, county's or state's three- to five-year capital improvements plan for roads, provided that the applicant agrees to phase development to conform to such scheduled improvement. This chapter shall not be construed to prevent the city from requiring dedication of rights-of-way for such roads, or from assigning trips to such roads in a TIA in order to determine a development project's proportionate costs of improvements.

D. Use Intensity Table. Where a proposed plat application does not designate the land use or intensity of use proposed for the development, for purposes of ascertaining the applicability of this chapter and the trips to be generated, the city may utilize typical uses and intensities of use. For land to be developed for nonresidential or multiple-family use in the city's extraterritorial jurisdiction, the city may utilize uses and intensities of use that are typical in the most intensive zoning district that authorizes the type of use proposed in the development.

(Ord. 16882 § 2 (part), 2008)

19.18.030 - Criteria for determining traffic impact analysis requirements.

Scope. The scope of a traffic impact analysis is an analysis of the area surrounding the development that will be impacted by the development to determine the range of area that must be included in the TIA. The scope of the traffic impact analysis shall be based on the peak hour trips projected to be generated by the proposed development, as set forth in the following table. Additionally, a scoping meeting shall be coordinated with the city manager or designee in order to determine the study intersections within the scope of the TIA.

Table 19.18-3: Criteria for Determining Traffic Impact Analysis

Peak Hour Trips	TIA Analysis Period	TIA Scope	
	99 or less	1. n/a	Not Required
	100—500	1. Existing	The frontage of the property, all access points (including common access), and all intersections within a ½ mile radius of the proposed development.
		2. Opening year	
		3. Full build-out year	
	501—1000	1. Existing	The frontage of the property, all access points (including common access), and all intersections within a 1 mile radius of the proposed development.
		2. Opening year	
		3. Full build-out year	
		4. 5 years after opening year	
	1,000 or more	1. Existing	The frontage of the property, all access points (including common access), and all intersections within a 1 ½ mile radius of the proposed development.
		2. Opening year	
		3. Full build-out year	
		4. 5 years after opening year	
		5. 10 years after opening year	NOTE: All measurements shall be made from property boundaries.

(Ord. 16882 § 2 (part), 2008)

19.18.040 - City evaluation and action.

A. Criteria.

1. The city manager or designee shall evaluate the adequacy of the TIA prepared by the applicant. Based upon such evaluation, the city manager, or designee shall make recommendations concerning:

a. Whether the application may be approved in the absence of dedication of rights-

of-way or construction of improvements to each affected thoroughfare; and

b. The extent of the applicant's obligations to make such dedications or improvements.

2. The city manager, or designee may recommend, and the decision-maker on the application may attach, conditions to the approval of the development application, based on one or more of the following performances by the applicant:

a. Delay or phasing of development until thoroughfares with adequate capacity or intersection improvements are constructed;

b. A reduction in the density or intensity of the proposed development sufficient to assure that the road network has adequate capacity to accommodate the additional traffic to be generated by the development;

c. The dedication or construction of thoroughfares or traffic control improvements needed to mitigate the traffic impacts generated by the proposed development; or

d. Any combination of techniques that assures that the traffic impacts of the development will be mitigated.

B. Deferral of Obligation. Upon request of the applicant or property owner, the obligation to dedicate or improve thoroughfare rights-of-way or to make intersection improvements imposed on a development application may be deferred until the city's action on a subordinate (i.e., subsequent) development application. As a condition of deferring the obligation to dedicate rights-of-way for or to improve thoroughfares, the deferral shall be at the sole discretion of the city. The city shall require the developer to execute a Subdivision Improvement Agreement (see Section 19.08.020) acceptable to the city attorney specifying the amount and timing of the rights-of-way dedication or improvements to thoroughfares.
(Ord. 16882 § 2

Section 4. Except as herein amended, Title 19, Subdivisions, of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____of _____2011

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

SIGNATURES CONTINUE ON FOLLOWING PAGE

APPROVED AS TO CONTENT:

_____

Mathew McElroy,
Deputy Director
Planning & Economic Development

APPROVED AS TO FORM:

_____

Lupe Cuellar
Assistant City Attorney

ORDINANCE NO. _____

12-1007-243/doc#98347/title 19 amendment/revise TIA/lcue