

City Council Meeting

October 4, 2021

Application number: TA-2021.03 Traffic Impact Analysis Requirements

**Request:** Staff requests the planning and zoning board review and make a recommendation to city council to amend chapter 16 of the Belmont Land Development Code (LDC). The intent of the proposed text amendment is to better address the ongoing growth demands on the stressed transportation system/infrastructure in Belmont.

**Background:** At the February 2021 workshop, City Council and Planning Board members had an in-depth conversation about the impacts of ongoing development on traffic, and what could be done to help mitigate the impacts on the community. City Attorney Parks Wilson gave an overview of ongoing and settled litigation cases regarding the city's authority to use a TIA to require off-site transportation improvements. Staff from NCDOT, state legislators, and Kimley Horn, the City's TIA consultants, joined the meeting to offer their input as well.

Areas of primary focus included:

- Incorporation of multi-modal components: bike and pedestrian

- Trip threshold triggers, especially along South Point Road

- Off-site transportation improvements, and payment-in-lieu options if ROW acquisition infeasible

**Analysis**: Kimley Horn provided staff with a document summarizing various TIA approaches used by nearby jurisdictions as a starting point for further study, looking mainly at minimum trip thresholds project densities, types of intersections to be studied, mitigation requirements, and multi-modal considerations.

In addition to reviewing the data provided, staff researched the TIA ordinances of other nearby jurisdictions for examples of how the focus areas noted above may have been addressed. Estimation strategies utilized by GCLMPO and within our existing Land Development Code were explored in consideration of payment-in-lieu options when off-site transportation improvements are infeasible.

**Planning Board Discussions/Feedback:**

After researching internally, staff held three discussions with the Planning Board to obtain additional feedback and direction to guide the proposed text amendment in these specific areas.

• April 29, 2021: Brady Finklea gave the history of development TIAs and TIAs specifically in Belmont, NCDOT partnership, and the steps of conducting a TIA. The group discussed how the current traffic problem has occurred with no TIA being performed during the development process, or in cases where a TIA was not triggered. There was interest in being proactive for future developments within Belmont and not to be reactive of previous problems that have occurred, as well as exploring additional funding and payment-in-lieu options to help address traffic solutions.

• May 20, 2021: Brady Finklea explained how intersections are selected, graded, and chosen to be improved during the TIA study. The group discussed payment-in-lieu and how that can be a negotiation tool during the approval process, as well as the need to identify a formula and additional details through a separate guidelines document. Staff presented opportunities to integrate additional bike and pedestrian language into the TIA process, and consensus to update the operational analysis section to include multi-modal operations was achieved. Staff also talked about thresholds and what triggers a TIA, as well as considerations for lowering the threshold. Conversation topics included the cost of TIAs (specifically for small developers) and how TIA thresholds could either stop or promote development. Interest for different thresholds for different areas within Belmont was expressed—especially on the peninsula—as well as an openness to study area radius based on the size of a proposed development.

• August 19, 2021: Staff presented a draft ordinance to the Planning Board for discussion and feedback before presenting an ordinance for consideration of recommendation. The draft proposed the inclusion of multi-modal transportation analysis, a new threshold of 75 peak hour or 750 daily trips for requiring TIAs on the peninsula, and additional language clarifying payment-in-lieu of transportation improvements. Some members supported a further lowering of the threshold on the peninsula, suggesting a threshold as low as 30 peak hour trips. The Board also requested clarification on the timing and level of detail needed as a basis for payment-in-lieu estimates prepared by developers.

Summary of Updates: Staff further evaluated the language presented within the revised ordinance and has included the following revisions in the proposed text amendment:

* Updating the name to Transportation Impact Analysis
* Requiring the completion of a Transportation Technical Memorandum (TTM) for developments with an expected trip generation of 50-99 peak hour or 500-999 daily trips within the South Point Peninsula Area (defined with a map).
* Including bike and pedestrian operation analysis and recommendations for developments requiring TIA/TTM within the Center City Small Area Plan.
* Refining timing requirements for ROW acquisition and mitigation options.
* Expanding the language for payment-in-lieu mitigation calculations.

While lower threshold options were also considered for the peninsula, feedback from other communities revealed that resultant mitigation from smaller projects is often minimal. The proposed threshold will allow us to evaluate impacts of new developments that wouldn’t currently trigger a TIA study. It will also allow us to utilize an incremental approach to adjusting our requirements and give us the ability to adjust further if needed after the completion of a South Fork/Catawba Peninsula Transportation Study.

Staff is recommending the addition of bike and pedestrian analysis specifically for developments within the Center City Small Area Plan area due to its existing grid network and the desire for multimodal options to access the various destinations downtown. Currently we utilize our adopted plans to advocate for bike and pedestrian infrastructure within a project’s site boundary and/or its street frontage, but this update would expand analysis and mitigation recommendations to include off-site improvements. In addition to this proposed amendment, staff has applied for an NCDOT Planning Grant to update our 2009 Pedestrian Master Plan, which, if awarded, will help us to continue to evaluate our current needs, as well as the best strategies to address our infrastructure in light of our anticipated growth.

We are also proposing that developers evaluate the feasibility of constructing transportation improvements at the time of schematic plans and seek approval of City Council at that time. For phased projects, requests would be limited to the first phase only, as property ownership and negotiations for later phases have not yet begun. The developer would be required to refine roadway designs and cost estimates, completing at least 25% of the preliminary engineering design before acceptance by the City at the time of construction plans to ensure that the payment-in-lieu reflects mitigation costs as accurately as possible. Staff’s opinion is that this process will maximize transparency up front when a project is initially being considered, while still addressing concerns of continued cost increases for construction.

**Consistency Findings:** The proposed text amendment is consistent with goals 3, 6, and 8 of the Comprehensive Land Plan that address Mobility, Infrastructure, and Intergovernmental Relations.

The proposed amendment:

* Incorporates multimodal analysis and recommendations that promote mobility choice in how citizens and visitors move around Belmont, especially in downtown;
* Supports high quality, efficient, and effective infrastructure throughout Belmont by enhancing mitigation requirements for new development; and
* Encourages intergovernmental relations with surrounding jurisdictions and state agencies to promote the interests of Belmont’s citizens, and to ensure the ongoing success and quality of life within the greater metropolitan region.

**Planning Board Recommendation:** Staff presented the text amendment to Planning Board for its consideration at the September 16, 2021 meeting. After hearing the case, all members agreed that the proposed amendment addressed their earlier questions and concerns relating to our existing ordinance. Some members expressed a desire for a clear contingency within payment-in-lieu cost estimates, and staff clarified that this detail would be best suited for a complementary Traffic Mitigation Policy.

The board unanimously passed a motion to recommend approval of the text amendment as presented, and made the required findings that the proposed amendment is:

* Consistent with the goals of the adopted comprehensive plan, and other plans, in the area of mobility, infrastructure, and intergovernmental relations; and
* Is a reasonable request in the public interest because it will provide for additional analysis of our transportation networks the impacts of new development on our existing infrastructure to ensure public safety and quality of life.

**City Council Action:** Conduct the public hearing and receive public comment.

Attachment A- Planning Board Consistency Findings