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MEMORANDUM

TO: York County Council
York County Planning Commission

FROM: Audra Miller, Planning Director

RE: Proposed Revisions to the Traffic Impact Analysis, Preliminary Plat Process
and Zoning Map Amendment Ordinances

DATE: June 20, 2016

Per County Council request and direction, the Planning and Development Services Department (Department) has prepared the attached revisions to the Traffic Impact Analysis (TIA). The County Council requested this Department strengthen the TIA requirements, including making TIAs mandatory for all projects.

The following is a tentative adoption schedule:

- June 20, 2016: Council First Reading
- July 11, 2016: Planning Commission Recommendation
- July 18, 2016: Council Second Reading with Public Hearing
- August 15, 2016: Council Third Reading

The following is a summary of draft recommendations created by Planning & Development Services. The attached proposed changes have been reviewed by the Office of County Attorney. Staff recommends approval of the proposed draft ordinance changes.

CHAPTER 154: Subdivision Code

1. Definitions

- a. The following definitions have been added:
 - i. AASHTO – American Association of State Highway and Transportation Officials
 - ii. ADT – Average Daily Trips
 - iii. ITE – Institute of Transportation Engineers
 - iv. TIAMG – Traffic Impact Analysis Methodology Guidelines

2. Traffic Impact Analysis

- a. The existing TIA ordinance is being replaced by the ordinance presented for review and approval. Many of the existing provisions are being maintained, but additional requirements have been added. The following provisions are being added:

- i. TIAs are mandatory for all rezonings, preliminary plats, and site plan applications, and certain special exceptions.
 - ii. Applicants must include a preliminary site evaluation identifying key project details.
 - iii. Depending on the level of impact to the transportation network, a Tier 1 or Tier 2 TIA will be required.
 - iv. If minimal or no impacts will result from the proposed development, the Department may waive further analysis.
 - v. Tier 2 TIAs shall be prepared in accordance with the Traffic Impact Analysis Methodology Guidelines.
- b. The following options for recommendations have been added:
- i. Time the commencement of construction on a project with the construction of identified and funded regional traffic improvements (RFATS, Pennies for Progress, SCDOT, etc.) that would help mitigate traffic impacts from the proposed development; and
 - ii. For background traffic improvements, recommend the developer pay the proportional share of improvements.

Staff is recommending the ordinance take effect September 1, 2016. Staff is making this recommendation to allow this Department to revise applications, complete the Traffic Impact Analysis Methodology Guidelines, educate the public and department staff on the new standards, and update websites and public information materials.

Thank you for your attention to this matter and please contact me at audra.miller@yorkcountygov.com or 803-909-7173 with input or questions.

AN ORDINANCE

TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 154, ENTITLED SUBDIVISION CODE, SECTIONS 154.004, DEFINITIONS; AND 154.037, PLAT APPROVAL PROCESS: STREETS; IN ORDER TO ADD DEFINITIONS FOR AVERAGE DAILY TRIPS, AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS, INSTITUTE OF TRANSPORTATION ENGINEERS, AND TRAFFIC IMPACT ANALYSIS METHODOLOGY GUIDELINES; TO AMEND TRAFFIC IMPACT ANALYSIS REQUIREMENTS IN THEIR ENTIRETY; TO PROVIDE FOR A PUBLIC HEARING; TO TAKE EFFECT SEPTEMBER 1, 2016; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

BE IT ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF YORK COUNTY, SOUTH CAROLINA:

SECTION 1. Legislative findings.

As an incident to the adoption of this ordinance, the York County Council, as the governing body of York County, South Carolina, has made the following legislative findings:

1.1 Council is empowered to enact ordinances for the implementation and enforcement of powers granted to Council pursuant to Sections 4-9-30 (9), (14), and (17), S.C. Code Ann., as amended and to exercise such other powers authorized for counties under S.C. Code Ann. § 6-29-1110 et seq..

1.2 Council finds that this ordinance will:

- (A) Ensure traffic impact analyses adequately identify and analyze potential impacts to the County's transportation network from new development;
- (B) Ensure such impacts are adequately mitigated by the developer/property owner;
- (C) Enable reviewing and approving bodies to have sufficient information regarding potential impacts to the County's transportation network and proposed mitigation to make informed decisions regarding applications for new development; and
- (D) Promote the public health, safety, order, and general welfare.

SECTION 2. Code of York County Amended.

GENERAL PROVISIONS

Chapter 154.004 Definitions

Chapter 154, Section 154.004, within the York County Code of Ordinances, is hereby amended to include the following definition to be placed in alphabetical order before Base Flood:

| **AASHTO. American Association of State Highway and Transportation Officials.**

Chapter 154, Section 154.004, within the York County Code of Ordinances, is hereby amended to include the following definition to be placed in alphabetical order between AASHTO and Base Flood:

| **ADT. Average Daily Trips.**

Chapter 154, Section 154.004, within the York County Code of Ordinances, is hereby amended to include the following definition to be placed in alphabetical order between Improvements, Public and Key Map:

| **ITE. Institute of Transportation Engineers**

Chapter 154, Section 154.004, within the York County Code of Ordinances, is hereby amended to include the following definition to be placed in alphabetical order between Surveyor and Title:

| **TIAMG. Traffic Impact Analysis Methodology Guidelines.**

PLAT APPROVAL PROCESS

Chapter 154.037 STREETS.

Chapter 154, Section 154.037 within the York County Code of Ordinances is hereby deleted in its entirety and replaced to now read as follows:

“§ 154.037 TRAFFIC IMPACT ANALYSIS.

Traffic impact analysis. The intent of this section is to provide the information necessary to allow decision-makers to assess the transportation implications of traffic associated with a proposed development, to address the transportation-related issues associated with development proposals that may be of concern to neighboring residents, business owners and property owners, and to provide a basis for negotiating improvements and funding participation in conjunction with an application for development. This section establishes requirements for the analysis and evaluation of transportation impacts associated with proposed developments.

(A) *Purpose.* A traffic impact analysis will be required for all rezoning applications, subdivisions (preliminary plats), site plans, and certain special exceptions. The purpose of a traffic impact analysis will be to:

- (1) Provide the County adequate information to assess proposed development impacts to the County's transportation network;
- (2) Evaluate traffic operations and impacts at site access points under projected peak period traffic loads;
- (3) Evaluate the impact of site-generated traffic on affected intersections in the vicinity of the development site;
- (4) Evaluate the impact of site-generated traffic on the quality of traffic flow within a reasonable distance of the site of development;
- (5) Evaluate the impact of the proposed development on existing residential subdivision streets in the vicinity of the site;
- (6) Ensure that site access and other improvements needed to mitigate the traffic impact of the development meet commonly accepted engineering design standards;
- (7) Ensure that adequate facilities for pedestrians, transit users and bicyclists have been provided;
- (8) Identify transportation infrastructure needs and related costs created by the development and cost sharing for the needed improvements; and
- (9) Ensure transportation related infrastructure is adequate to address additional residential, institutional, recreational, commercial, and industrial development.

(B) *Applicability.* A traffic impact analysis shall be required for any land use plan amendment, amendment to the zoning map, subdivision preliminary plat, and application for site plan approval, and certain special exception permits. As part of the application process, the applicant shall submit a preliminary site evaluation. This analysis shall include the following:

- (1) Existing use or last known use and date of last known use for structures that have been unoccupied for longer than six months;
- (2) Total acreage for the project;
- (3) Proposed use; and
- (4) Total square footage for buildings (existing and proposed).

Staff will review the preliminary site evaluation and determine the appropriate traffic impact analysis to be performed. Depending on the anticipated impact to the transportation network, the applicant will be required to either conduct a Tier 1 or Tier 2 traffic impact analysis. The Department may determine a proposed project will have no impact or minimal impact on the transportation network, and further study is not required.

(C) *Tier 1 Traffic Impact Analysis.* A Tier 1 traffic impact analysis shall be utilized for proposed development (new, expansion of an existing use, or replacement of an existing use with a different use) anticipated to generate either a small increase in existing peak hour (a.m. or p.m.) trips and/or ADT or generate a small number of new peak hour (a.m. or p.m.) trips and/or ADT, which would have a minimal impact on existing Levels of Service. A Tier 1 traffic impact analyses shall include, at a minimum:

- (1) Existing and proposed use;
- (2) Total square footage for the buildings (existing and proposed);
- (3) Existing and proposed trips generated according to the ITE Trip Generation Manual; and
- (4) Description of anticipated impacts on existing Levels of Service.

If the existing or proposed use is not identified in the ITE Trip Generation Manual, the applicant may obtain trip counts from existing similar uses or use another source approved by the Planning and Development Services Department. The letter must be signed and stamped by a South Carolina licensed civil engineer. The Planning and Development Services Department shall review and approve a Tier 1 traffic impact analysis prior to the applicable application being presented for review and consideration by the applicable reviewing body. Generally, a Tier 1 traffic impact analysis is appropriate for projects that will generate less than 400 ADTs or less than 100 peak hour trips per day. If the Planning and Development Services Department determines the information does not support a determination of a minimal impact, the applicant shall be required to perform Tier 2 traffic impact analysis.

The Planning and Development Services Department may require a Tier 2 traffic impact analysis even if a proposed development generates less than 400 average daily trips per day or less than 100 peak hour trips per day if the proposed project is located in proximity to other development generating a significant number of average daily trips and/or peak hour trips and the addition of the proposed project trips potentially has a detrimental cumulative impact to the overall transportation network or creates public safety concern.

(D) *Tier 2 Traffic Impact Analysis.* A Tier 2 traffic impact analysis shall be utilized for proposed development (new, expansion of existing use, or replacement of an existing use with a higher intensity use) anticipated to generate a large number of peak hour (a.m. or p.m.) trips or ADT, which would have a significant impact on existing Levels of Service. A Tier 2 traffic impact analysis will be required for all projects generating more than 400 ADTs; 100 or more peak hour trips per day; or the proposed development proposes 30 or more individual residential

lots. For all applicable applications, the applicant shall submit the application and then the applicant, the Planning and Development Services staff, and SCDOT will conduct a scoping meeting in accordance with York County's TIAMG and SCDOT regulations.

(E) *Traffic service standards.* The standards for traffic service that shall be used to evaluate the findings of traffic impact analyses are:

(1) *Level of service.* For minor streets, a Level-of-Service (LOS) "C" or better shall be maintained. On major streets, a LOS "D" or better shall be maintained. Level of service will be measured for segments and intersections using ITE standards for LOS calculation. Where the existing LOS is below these standards, the traffic impact analysis shall identify those improvements required to ensure that development related traffic demands result in no net reduction in LOS, and identify additional improvements needed to raise the level of service to the standards on the applicable street to the adopted LOS standard.

(2) *Number of access points.* The number and spacing of access points shall comply with applicable county, state and AASHTO standards.

(3) *Residential street impact.* No non-residential development shall increase the traffic on an existing residential subdivision street with at least 300 average daily trips by more than 25%.

(4) *Internal circulation.* On-site vehicle circulation and parking patterns shall be designed so as not to interfere with the flow of traffic on any public street and shall accommodate all anticipated types of site traffic.

(5) *Safety.* Access points shall be designed to provide for adequate sight distance and appropriate facilities to accommodate acceleration and deceleration of site traffic. Measurements and photos are to be provided to document the sight distance at proposed driveway locations.

(6) *Curb space use plan.* Details shall be provided on curb space use on public streets along the edge of the development site when it is intended that such areas be used for parking, parking space access, delivery and loading zones, passenger zones, taxi cab stands, bus stops, fire zones and/or other official/emergency zones. This review shall include a description of existing conditions prior to development and proposed changes resulting from the development, including a description of any loss or gain in curb space use by the activities intended.

(F) *Coordination with SCDOT.* The applicant shall coordinate with the SCDOT and local road authorities to determine whether planned roadway or intersection improvements affect the capacity of the roadway or designs of roadways or access points proposed by the applicant.

(G) *Preparation and Acceptance of a Tier 2 Traffic Impact Analysis.* A Tier 2 traffic impact analysis shall be prepared in accordance with the TIAMG and SCDOT standards and guidelines, as applicable. An application cannot proceed for consideration by the Planning Commission, Zoning Board of Appeals, or County Council until the Planning and Development Services Department and SCDOT, if applicable, have approved the traffic impact analysis.

(H) *Report findings and mitigation.* If the Transportation Planner and representatives from all jurisdictions involved in the construction and maintenance of public roadways serving the development find that the proposed development will not meet applicable service level standards, staff shall recommend one or more of the following:

- (1) Reduce the size, scale, scope or density of the development to reduce traffic generation;
- (2) Divide the project into phases and authorize only one phase at a time until traffic capacity is adequate for the next phase of development;
- (3) Time the commencement of construction on a project with the construction of identified and funded regional traffic improvements (RFATS, Pennies for Progress, SCDOT, etc.) that would help mitigate traffic impacts from the proposed development;
- (4) Dedicate right-of-way for street improvements;
- (5) Construct new streets;
- (6) Improve intersection design and/or signalization;
- (7) Provide street connections to additional existing public streets;
- (8) Redesign ingress and egress to the project to reduce traffic conflicts;
- (9) Alter the use and type of development to reduce peak hour traffic;
- (10) Integrate non-vehicular design components (such as pedestrian and bicycle paths or transit improvements) to reduce trip generation;
- (11) Recommend approval of the development contingent upon making improvements or addressing items required to mitigate traffic and access issues and impacts;
- (12) For background traffic improvements, recommend the developer pay the proportional share of improvements; or
- (13) Recommend denial of the application for development for which the traffic impact analysis is submitted.

(I) For applications that are reviewed and approved by the Planning & Development Services Department, the Planning Director shall have final authority to enforce a recommendation. If an applicant disagrees with the Planning Director's decision, the applicant

may appeal the decision to the Planning Commission pursuant to the procedures identified in §153.21.”

SECTION 3. Public Hearing Required.

The York County Council shall conduct a public hearing after publishing a notice of the date, time and place of such hearing at least fifteen (15) days in advance of such hearing before final legislative action is taken for the adoption of this ordinance.

SECTION 4. Severability.

The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by the final order of a court of competent jurisdiction, such declaration shall not affect the constitutionality, legality, or enforceability of any other section or provision of this ordinance, which shall be deemed severable, valid, enforceable, and effective.

SECTION 5. Repeal of inconsistent sections and ordinances.

All sections of the York County Code of Ordinances and all York County ordinances in conflict with this ordinance are hereby amended to the extent of such conflict.

SECTION 6. Effective date.

This ordinance shall take effect September 1, 2016.

Adopted this _____ day of _____, 2016.

YORK COUNTY COUNCIL

By: _____
J. Britt Blackwell, O.D., Chairman
York County Council

Attest: _____
William P. Shanahan, Jr.
County Manager

1st Reading: _____

2nd Reading: _____

Public Hearing: _____

3rd Reading: _____

DRAFT



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MEMORANDUM

**To: York County Council
Mr. William Shanahan, County Manager**

From: Ms. Audra Miller, Planning Director

**CC: Mr. Steve Allen, Planning Manager
Mr. Eddie Moore, Development Services Director**

Re: Planning Commission vote and recommendations – TIA Revisions

Date: July 12, 2016

The Planning and Development Services Department (Department) presented the proposed TIA, Subdivision, and Zoning Code Ordinance Revisions (Revisions) to the Planning Commission at their July 11, 2016, meeting for review and recommendation(s). Planning Commission members present were: Walter Heinsohn, Bill Hargrove, William Hopper, Tommy Robbins, Larry Barnett, Carmen Miller, and James Darby. The following summarizes the Planning Commission’s vote and recommendations, if any.

TIA Revisions (Chapter 154: Definitions (§154.004) and Streets (§154.037))

Approved as presented: 7-0

Zoning Code Revisions (Chapter 155: Definitions (§155.009), Initiation of Amendment (§155.571), and Planning Commission Report (§155.572))

Approved with the following recommendations: 7/0

- Provide a review time for staff of 20 days on TIAs;
- Clarify 155.572 (A)(5) to note the staff recommendations are based on the recommendations contained in the TIA, which is prepared by a qualified traffic/transportation engineer.

Subdivision Code Revisions (Chapter 154: Plat Approval Process (§154.029) and Preliminary Plat Application and Supporting Data (Requirements))

There was discussion regarding the following topics:

- Modifying 154.029(D) to remove the “shall not approve” to “consider a preliminary plat”
- Removing 154.029(D)(5) as connectivity is an arbitrary requirement

The discussion topics were not included in the motion to recommend approval, and the PC recommended 6/1 (Hargrove) to recommend approval as presented by staff.