

ORDINANCE

AN ORDINANCE REPEALING AND REENACTING SECTION 18.72.130 CONCERNING TRAFFIC STUDIES.

WHEREAS, the City recognizes the importance of having accurate traffic data as part of the development process;

WHEREAS, the current provisions of the Manitou Spring Municipal Code do not provide sufficient guidelines for development applicants to supply the necessary data;

WHEREAS, on April 8, 2015, the Manitou Springs Planning Commission conducted a public hearing for the purpose of discussing and reviewing the proposed amendments to Section 18.72.130;

WHEREAS, after reviewing the recommendations of the Planning Department and the information obtained at the public hearing, the Manitou Springs Planning Commission recommended approval of the amendments to Section 18.72.130 – Traffic Studies;

WHEREAS, the City Council finds that these amendments to Section 18.72.130 clarify the data that is necessary for the development process and for the City to effectively evaluate the traffic impacts of a development; and

WHEREAS, these amendments in conformity with the City’s Comprehensive Plan and are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: Section 18.72.130 of the City of Manitou Springs Municipal Code is hereby repealed and reenacted to read in its entirety as follows.

18.72.130 Traffic Impact Analysis

- A. When Required. A Traffic Impact Analysis (TIA) establishing the availability and adequacy of the transportation system serving the site plan shall be required for the following development or redevelopment projects that meet any of the following criteria:
 - 1. All retail commercial buildings containing 5,000 square feet of gross floor area or more.
 - 2. All office buildings containing 10,000 square feet of gross floor area or more.

3. All industrial buildings of 30,000 square feet of gross floor area or more.
4. All single-family detached residential projects of 15 dwelling units or more.
5. All single-family attached or multi-family residential projects of 20 units or more.
6. Any project or combination of uses that is likely to generate over 180 trips per day based on traffic forecasts contained in the most recent version of the Institute of Transportation Engineers Trip Generation Manual, as may be amended from time to time.

B. TIA Process and Submittal.

1. Process

The applicant's professionally licensed engineer shall confer with Planning Department Staff to determine the following:

The study area for each TIA. The minimum study area shall include all buildable land within the City that is within a three mile radius from the proposed development.

- a. Obtain a list of approved but not built development projects within the City along with any other projects within the three (3) mile area described in Section 16.30.010 – Exterritorial major street standards.
- b. The time frame for delivery of the completed TIA.
- c. Discuss acceptable levels of service and any unique characteristics that shall be considered in conducting the analysis.
- d. Outline any CDOT requirements for projects along US 24 Business or intersections identified by CDOT.

2. Submittal Items

The following items are required for any TIA submitted to the City.

- a. Project description. A project description must include the size and location of the proposed project. The project description should be consistent with the application filed for the project.
- b. Project site plan. The site plan shall indicate all points of ingress and egress, parking provided on-site or off-site; and key intersections utilized to access the site.

- c. Existing Conditions. The existing scenario depicts the existing conditions of the transportation system within the study area of the proposed project. The TIA shall describe the physical characteristics of the surrounding roadway network including the existing roadway cross-sections, intersection lane configurations, traffic control devices, and surrounding land uses. Applicant shall provide required tables that indicate existing conditions peak hour volumes and lane configurations. If applicable, pedestrian, bicycle and transit facilities should be included. The background conditions must include the traffic volumes generated by projects that are approved but have not been constructed. These volumes should be added to the existing intersection volumes to represent background conditions.

- d. Project Conditions. Project conditions should include at a minimum proposed trip generation rates, estimates and level of services analysis. Additional information may be required by staff if deemed necessary. Trip generation estimates at minimum shall include weekday morning and evening peak hours (7:00 to 9:00 am and 4:00 to 6:00 pm) for the proposed use(s). Additional time periods may need to be analyzed to measure the effect of certain land uses with atypical peak hours on the transportation system at the request of either the Planning Department or Public Services Department. Level of Service shall be analyzed using the latest version of the Highway Capacity Manual (HCM), published by the Transportation Research Board. For multi-use projects, the activities (i.e. different land uses) associated with a proposed development should be separated into components where trip generation rates can be applied. The TIA shall include field observations to identify and account for the following conditions in the City:
 - i. Uneven lane demand and usage
 - ii. Effect of on-street parking
 - iii. Pedestrian and bicycle safety issues
 - iv. Cut-through traffic in neighborhoods
 - v. Sight distance problems
 - vi. Intersection with gridlock conditions to potentially explain low peak period traffic counts
 - vii. Queuing and storage length
 - viii. Truck Routes and loading issues

- e. Proposed trip distribution. Forecast the trip distribution of project-generated traffic based on proposed land use, existing travel patterns, site accessibility to and from major corridors, relative

location of complementary land uses in the area, and any other factors affecting the traffic pattern.

- f. Proposed trip assignment: Assign the project-generated traffic to the roadway network according to the trip distribution for each proposed land use; account for any turning movement restrictions (i.e., one-way streets, ramps, movement restrictions; center turn lanes used for loading and median islands such as the roundabout) or other unique roadway characteristics including excessive congestion.
- g. Cumulative Conditions. Cumulative Conditions should represent a future scenario to determine the combined effect of multiple pending projects or foreseeable developments with individually limited impacts on the transportation system. The Cumulative Conditions scenario should include volumes from Project Conditions plus traffic from pending or foreseeable developments in the area, adjacent cities, and/or unincorporated County land that would contribute trips to the study intersections.
- h. Trip Reduction. Trip reductions may be applied to projects if one or more of the following strategies to encourage alternative modes of transportation are included: mixed-use development, a transportation demand management (TDM) program, and/or development near developed parking facilities.
- i. Project Impacts and Mitigation Measures. The significant impacts of the project must be summarized in the TIA report. Physical improvements or payment of the City's transportation impact fee are required to mitigate all project impacts. Coordination with the City's consultant traffic engineer and/or staff should be incorporated in the TIA for impact assessment and contribution to mitigation strategies. This section of the TIA should also identify parties responsible for improvements. If a traffic impact analysis was prepared prior to the site plan, a site specific update to the traffic impact analysis shall be provided if the City finds that the traffic may be significantly different than estimated in the traffic impact analysis because of a change in use or change in the intensity of the use.

C. City Review of the Submitted TIA

City staff including professionals in both the Planning Department and Public Services Department shall review the TIA, if deemed appropriate, and make recommendations regarding mitigation to the applicant and City Planning Commission. Depending on the nature of the project and level of anticipated impacts, the City's Public Services Director or Planning Director has the authority to retain the

services of a third party traffic engineer to review the submitted TIA. The cost of said third party traffic engineer shall be paid by the applicant. The following criteria shall be used to determine the sufficiency of the TIA and to determine appropriate mitigation measures:

1. The scope of the study area includes all significant impacts from the development.
2. The study area includes all critical intersections.
3. Traffic counts represent critical time periods and are recent.
4. Assumptions used in the technical analysis have been clearly identified.
5. The calculated levels of service seem reasonable and meet any acceptable standards for the community.
6. The description of the proposed site conforms to the site plan submitted with the application.
7. As applicable, trip rates have been adjusted to account for public transportation, pedestrians or pass-by-trips.
8. The directional distribution of the site traffic is reasonable.
9. Pedestrian circulation has been accommodated.
10. Adequate parking has been provided to meet demand.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 4: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 5: This ordinance shall take effect five (5) days after final approval on second reading and publication.

Passed on first reading and Ordered Published this 2nd day of June, 2015.

/s/Donna Kast
City Clerk

A Public Hearing on this ordinance will be held at the June 16, 2015 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: June 4, 2015 (in full)
City's Official Website and in City Hall

Passed on Second Reading and Ordered Published this 16th day of June, 2015.

Approved: /s/ Marc A. Snyder
Mayor and City Council

Attest: /s/ Donna Kast
City Clerk

Ordinance Published: June 18, 2015 (in full)
City's Official Website and City Hall