ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2015-008 Traffic Mitigation

Description: Consider amendments to Title 25 of the Land Development Code relating to right-of-way dedications and transportation improvements required as a condition to mitigate the impacts of development approval.

Proposed Language: See attached draft ordinance.

Summary of proposed code changes:

- Authorize the City to obtain certain offsite improvements for smaller scale developments;
- Formalize the City's process for making "proportionality determinations" whenever an applicant is required to construct, fund, or dedicate offsite transportation improvements;
- Clarify the process for reserving right-of-way;
- Better define the type of improvements that may be required, including the "border street" policy;
- Authorize the Transportation Department to adopt administrative guidelines regarding the method for determining a development's overall impacts on the transportation system.

Background:

The amendments proposed in this ordinance were developed by staff in response to the Planning Commission's action, on October 13, 2015, initiating amendments to provisions of the Land Development Code concerning transportation improvements that may be required as a condition to development approval. Substantively, the most significant change is to clarify and refine the City's authority to require transportation improvements for projects that do not trigger a Traffic Impact Analysis or a Neighborhood Traffic Analysis. The amendments also include other changes and enhancements to existing Code, including new standards and procedures for determining traffic impacts attributable to a proposed development. Taken together, these amendments would: (1) authorize the City to obtain certain offsite improvements for smaller scale developments; (2) formalize the City's process for making "proportionality determinations" whenever an applicant is required to construct, fund, or dedicate offsite transportation improvements; (3) clarify the process for reserving right-of-way; (4) better define the type of improvements that may be required, including the "border street" policy; and (5) authorize the Transportation Department to adopt administrative guidelines regarding the method for determining a development's overall impacts on the transportation system. It should be noted that these amendments build on the City's existing process for requiring transportation improvements, which is distinct from an impact fee and governed by separate legal requirements. While the two types of procedures may be used concurrently, additional amendments would be required if Council chooses to adopt an impact fee in

the future. Additionally, CodeNext is also likely to include proposed changes to these code sections.

October 13, 2015 - Initiated by Planning Commission
April 6, 2016 - Presentation to the City Council Mobility Subcommittee
April 7, 2016 - Council set the public hearing for May 5, 2016.
April 19, 2016 - Recommended by Planning Commission Codes and Ordinance Subcommittee with a requirement that public stakeholder meeting be conducted and a date planning commissioner consideration no earlier than May 24, 2016.
May 5, 2016 - City Council approved Staff requested postponement of the public hearing to June 9, 2016.
May 9, 2016 - Stakeholder Meeting was held at Town Lake Center.
May 24, 2016 – Presented for Planning Commission Review.
June 9, 2016 – Scheduled for City Council public hearing and possible action.

Staff Recommendation: Recommended

Board and Commission Actions
April 19, 2016: Recommended by the Codes and Ordinances Subcommittee on a 4-0 vote.

May 24, 2016: To be reviewed by Planning Commission.

Council Action
June 9, 2016: A public hearing has been scheduled.

Ordinance Number: NA

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DRAFT CODE AMENDMENTS AND REVIEW SHEET:

PROPORTIONALITY DETERMINATIONS & TRANSPORTATION IMPROVEMENTS REQUIRED AS A CONDITION TO DEVELOPMENT APPROVAL

Summary of Proposed Amendments:

The amendments described below were developed by staff in response to the Planning Commission's action, on October 13, 2015, initiating amendments to provisions of the Land Development Code concerning transportation improvements that may be required as a condition to development approval.

Substantively, the most significant change is to clarify and refine the City's authority to require transportation improvements for projects that do not trigger a Traffic Impact Analysis or a Neighborhood Traffic Analysis. The amendments also include other changes and enhancements to existing Code, including new standards and procedures for determining traffic impacts attributable to a proposed development.

Taken together, these amendments would: (1) authorize the City to obtain certain offsite improvements for smaller scale developments; (2) formalize the City's process for making "proportionality determinations" whenever an applicant is required to construct, fund, or dedicate offsite transportation improvements; (3) clarify the process for reserving right-of-way; (4) better define the type of improvements that may be required, including the "border street" policy; and (5) authorize the Transportation Department to adopt administrative guidelines regarding the method for determining a development's overall impacts on the transportation system.

It should be noted that these amendments build on the City's existing process for requiring transportation improvements, which is distinct from an impact fee and governed by separate legal requirements. While the two types of procedures may be used concurrently, additional amendments would be required if Council chooses to adopt an impact fee in the future. Additionally, CodeNext is also likely to include proposed changes to these code sections.

Text of Proposed Amendments:

1. Definitions.

Add the following definitions of "transportation system" and "transportation plan" to Section 25-6-1 (*Definitions*):

(10) TRANPORTATION PLAN means the Austin Metropolitan Area Transportation Plan, or its successor plan, and other multi-modal transportation plans referenced in the Imagine Austin Comprehensive Plan, including the CAMPO Mobility Plan, Sidewalk Master Plan, Bicycle Plan, and Urban Trails Plan.

(11) TRANSPORTATION SYSTEM is an individual component of the overall transportation network designed for the movement of people and goods, including arterials and collector streets, sidewalks, trails, and other multi-modal transportation facilities identified in the Transportation Plan.

These definitions help inform later sections of the Code describing the type of improvements that may be required and would include traditional as well as multi-modal components.

2. Clarify Scope of Article 2.

To better reflect the scope of Chapter 25-6, Article 2, its title should be changed to read:

ARTICLE 2. [~~RESERVATION AND DEDICATION OF~~] RIGHT-OF-WAY AND TRANSPORTATION IMPROVEMENTS.

3. Requirement to Make a Proportionality Determination.

This new Code section would require a proportionality determination whenever the dedication of offsite right-of-way or transportation improvements is required. This amendment, coupled with suggested changes to other sections of Chapter 25-6, would better reflect the City's existing practices as well the procedures required by Local Government Code § 212.904.

§ 25-6-23 PROPORTIONALITY OF REQUIRED INFRASTRUCTURE.

(A) If the City requires an applicant to construct or fund offsite transportation improvements or dedicate right-of-way beyond the boundaries of a

development, the applicant's costs may not exceed the amount required for infrastructure improvements that is roughly proportionate to the proposed development as determined by a professional engineer licensed under Chapter 1001, Occupations Code, and retained by the City.

(B) The director shall issue a written determination of an applicant's roughly proportionate share of infrastructure costs attributable to a proposed development prior to approval of an application for which dedication of right-of-way or the construction or funding of offsite transportation improvements is required. A determination issued under this section:

(1) need not be made to a mathematical certainty, but is intended to be used as a tool to fairly assess the roughly proportionate impacts of a development based on the level of transportation demand created by a proposed development relative to the capacity of existing public infrastructure;

(2) shall be completed in accordance with generally recognized and approved measurements, assumptions, procedures, formulas, and development principles; and

(3) shall state the roughly proportionate costs to the property owner for land dedications and construction of transportation-related improvements necessary to ensure a useable and workable transportation system that is sufficient to accommodate the traffic generated by a proposed development.

(C) If a proposed development is subject to a proportionality determination under this section, the director shall identify in writing all infrastructure improvements required in conjunction with approval of the development application. The infrastructure improvements may include land dedications, the construction or funding of offsite improvements, or any combination thereof, in an amount not to exceed the total infrastructure costs attributable to the proposed development as established by the proportionality determination.

(D) To aid in making a proportionality determination and identifying required infrastructure improvements, the director may:

(1) adopt administrative guidelines establishing requirements for:

(a) conducting a traffic impact analysis and neighborhood traffic analysis under Article 3 (*Traffic Impact Analysis and Mitigation*); and

(b) funding or constructing offsite transportation improvements required under Section 25-6-101 (*Mitigation of Transportation Impacts*); and

(2) require an applicant to provide:

(i) a transportation impact analysis under Section 25-6-113 (*Traffic Impact Analysis Required*);

(ii) a neighborhood traffic analysis under Section 25-6-114 (*Neighborhood Traffic Analysis Required*); or

(ii) other information related to the traffic impacts of a proposed development.

4. Clarifications re: Reservation of Right-of-Way

As currently written, Section 26-6-51 (*Dedication of Right-of-Way*) implies that certain right-of-way is automatically "reserved,"[1] with no action required on staff's part. That doesn't reflect actual practice, however, and may be in conflict with other parts of the Code which seem to characterize reservation of right-of-way as a discretionary requirement. This amendment to Section 25-6-51 eliminates the assumption that right-of-way reservation is automatic and instead authorizes it as a condition in certain circumstances.

§ 25-6-51 RESERVATION OF RIGHT-OF-WAY.

(A) The City <u>may, as a condition to approval of a site plan or subdivision, reserve</u> [~~reserves~~] right-of-way <u>that is reasonably likely to be acquired for public use consistent with this article. To be subject to reservation, land must be located</u> along a roadway designated in:

(1) the Transportation Plan;

[1] Reservation of right-of-way is used when dedication is not required as a condition to development approval, but the City anticipates acquiring land for planned improvements in the future. Development within reserved right-of-way is limited, although a landowner may request waivers.

(2) an approved collector plan; or

(3) an established capital improvement project located in the planning jurisdiction of the City.

(B) The extent and location of the right-of-way reserved under Subsection (A) must conform to the Transportation Plan, approved collector plan, or capital improvement project.

5. Clarifications re: Requirements for ROW Dedications & Border Street Policy

These amendments would specify that a Proportionality Determination is required (per new Section 25-6-23, above) for all right-of-way dedications, other than dedications internal to a development.[2] Additionally, the amendment removes provisions related to traffic mitigation and offsite improvements, which are consolidated into new provisions in Article 3 (*see* pp. 6-8).

§ 25-6-55 DEDICATION OF RIGHT-OF-WAY.

(A) If the director [~~city manager~~] determines that dedication of [~~all or a portion of a~~] right-of-way is needed to accommodate the estimated traffic demand generated by a proposed development, the applicant may be required to dedicate the amount of land determined to be roughly proportionate to the development under Section 25-6-5 (*Proportionality of Required Infrastructure*) or a lesser amount, as determined by the director based on the adequacy of the transportation system.[~~:~~

~~(1) an amount of land not to exceed 150 feet for a roadway that is subject to reservation of right-of-way under Section 25-6-51 (*Reservation Of Right-Of-Way*) and that is internal to a proposed subdivision or development project; or~~

~~(2) an amount of land not to exceed 50 percent of the total right-of-way requirement for an existing or proposed roadway that: (a) is subject to reservation of right-of-way under Section 25-6-51 (*Reservation Of Right-Of-Way*); and (b) adjoins a proposed subdivision or development project~~].

[2] Based on discussions with our consultants, Kimley-Horn, the prevailing practice among municipalities is to treat purely internal street networks dedicated at subdivision or site plan as general design standards or regulatory requirements rather than as development exactions.

(B) [~~An applicant may not be required to dedicate more than 75 feet of land under Subsection (A)(2)~~].

[~~(C) The director may require the dedication of right-of-way in an amount greater than established in Subsection (A):~~

~~(1) for a street that is not subject to reserved right-of-way and that does not comply with the standards in the Transportation Criteria Manual; or~~

~~(2) if the additional right-of-way is necessary to accommodate traffic generated by the proposed development.~~]

[~~(D)~~] The director may defer the dedication of right-of-way required at one stage of the development process to a later stage. A person must comply with all dedication requirements before the release of the subsequent application.

(C) Land required for dedication under this section must be used for improvements to the transportation system or a boundary street adjoining the proposed development.

[~~(E) In addition to the dedication of right-of-way, the City may require the applicant to construct a roadway improvement or may assess a fee instead of requiring construction of a roadway improvement to offset the traffic effects generated by the proposed development.~~]

6. Offsite Transportation Improvements

These amendments would clarify staff's authority to require offsite improvements for projects not trigging a Traffic Impact Analysis or Neighborhood Traffic Analysis. The amendments also authorize staff to either require construction or allow payment of a fee in-lieu, subject to listed criteria. Finally, the amendments make a few organizational changes to better accommodate the addition of future code sections related to offsite mitigation.

- The first change is to retitle Article 3 as follows:

ARTICLE 3. ***TRAFFIC IMPACT ANALYSIS AND MITIGATION.***

- The second change is to add a new Division 1, to read as follows, and to renumber the remaining divisions accordingly:

Division 1. – Offsite Transportation Improvements

§ 25-6-101 MITIGATION OF TRANSPORTATION IMPACTS.

(A) In addition to requiring dedication of right-of-way under Section 25-6-55 (*Dedication of Right-of-Way*), the director may require an applicant to construct or fund all or a portion of off-site improvements required to mitigate traffic impacts of a proposed development.

(B) If a proposed development does not require an impact analysis under Section 25-6-113 (*Traffic Impact Analysis Described*) or Section 25-6-114 (*Neighborhood Traffic Impact Analysis Described*), the director may condition approval of the application on construction or funding offsite improvements as described in this subsection.

(1) Required offsite improvements are limited to:

(a) sidewalks and curb ramps;

(b) traffic signs, markings, and upgrades to signal infrastructure;

(c) traffic calming devices;

(d) bike lanes and upgrades to bike facilities;

(e) rectangular rapid flashing beacons;

(f) pedestrian refuge islands;

(g) pedestrian hybrid beacons;

(h) urban trail improvements;

(i) right-of-way dedications; and

(j) measures to limit transportation demand, as provided under the Transportation Criteria Manual.

(2) Required offsite improvements may not be further than from the proposed development than:

(a) one-quarter mile; or

(b) three-fourths of a mile, for an improvement required to provide access between the proposed development and a school, bus stop, public space, or major street.

(C) If a proposed development requires a traffic impact analysis under Section 25-6-113 (*Traffic Impact Analysis*) or Section 25-6-114 (*Neighborhood Traffic*

Impact Analysis), the director may require an applicant to construct or fund offsite improvements identified by the traffic impact analysis.

(D) The total cost of offsite improvements required under this section may not exceed the applicant's roughly proportionate share of infrastructure costs as established by the proportionality determination required under Section 25-6-23 (*Proportionality of Required Infrastructure*), less the cost of any right-of-way dedication required under Section 25-6-55 (*Dedication of Right-of-Way*).

§ 25-6-102 FEE IN-LIEU OF OFFSITE MITIGATION.

(A) The director may allow an applicant to pay a fee in-lieu of constructing one or more offsite transportation improvements required under Section 25-6-101 (*Mitigation of Transportation Impacts*). In determining whether to allow payment of a fee in-lieu or to require construction of offsite improvements, the director shall consider:

(1) the applicant's roughly proportionate share of infrastructure costs, as determined under Section 25-6-23 (*Proportionality of Required Infrastructure*), relative to the cost of constructing one or more identified offsite improvements;

(2) future transportation improvements anticipated for the area through capital improvement projects or as a condition to the approval of other proposed developments; and

(3) the feasibility of constructing one or more identified offsite improvements by supplementing the amount collected through payment of a fee in-lieu with city funds.

(B) A fee in-lieu collected under Subsection (A) of this section shall be placed in a dedicated fund and used solely for the purpose of constructing one or more offsite improvements identified under Section 25-6-23 (*Proportionality of Required Infrastructure*).

(C) A fee in-lieu collected under this section shall be spent, consistent with the requirements of Subsection (B), within ten-years from the date fee is paid to the City. The owner of a property for which a fee in-lieu was paid under this section may request a refund of any funds that remain unspent after the end of the ten-year period. A refund request under this section must be submitted in writing, on a form provided by the director.

ROUGH PROPORTIONALITY & TRANSPORTATION CODE AMENDMENTS

PLANNING COMMISISON
May 24, 2016

Austin Transportation Department
& Development Services Department

Agenda

- Timeline of Mitigation Ordinance
- Report from Stakeholder Meeting
- Overview of Current Practice
- Rough Proportionality
- Proposed Transportation Code Amendments
- Discussion/Questions

Timeline of Mitigation Ordinance

- August 19, 2015 - Stakeholder meeting conducted
- August 31, 2015 - Stakeholder meeting conducted
- September 15, 2014 - Initiated by Codes and Ordinances Subcommittee
- October 13, 2015 - Initiated by Planning Commission
- April 6, 2016 - Presentation to the City Council Mobility Subcommittee
- April 7, 2016 - Council set the hearing for May 5, 2016
- April 14, 2016 - Presentation to Austin Contractor and Engineers Association
- April 19, 2016 - Recommended by Planning Commission Codes and Ordinance Subcommittee
- May 5, 2016 -Staff requested postponement of City Council public hearing to June 9, 2016
- May 9, 2016 - Stakeholder Meeting was held at Town Lake Center
- May 24, 2016 - Planning Commission Consideration
- June 9, 2016 – Possible City Council public hearing and action.

Report from Stakeholder Meeting

- General Public Comments
  - Application of pro rata vs rough proportionality
  - Ability to construct off-site improvements
  - Applicability to various development stages
  - Transparency of plans that guide improvements
  - Consistency of TIA scoping and review process
- Staff Responses
  - Consulting with COA departments
  - Developing procedures and resources
  - Securing consultant to analyze TIA best practice

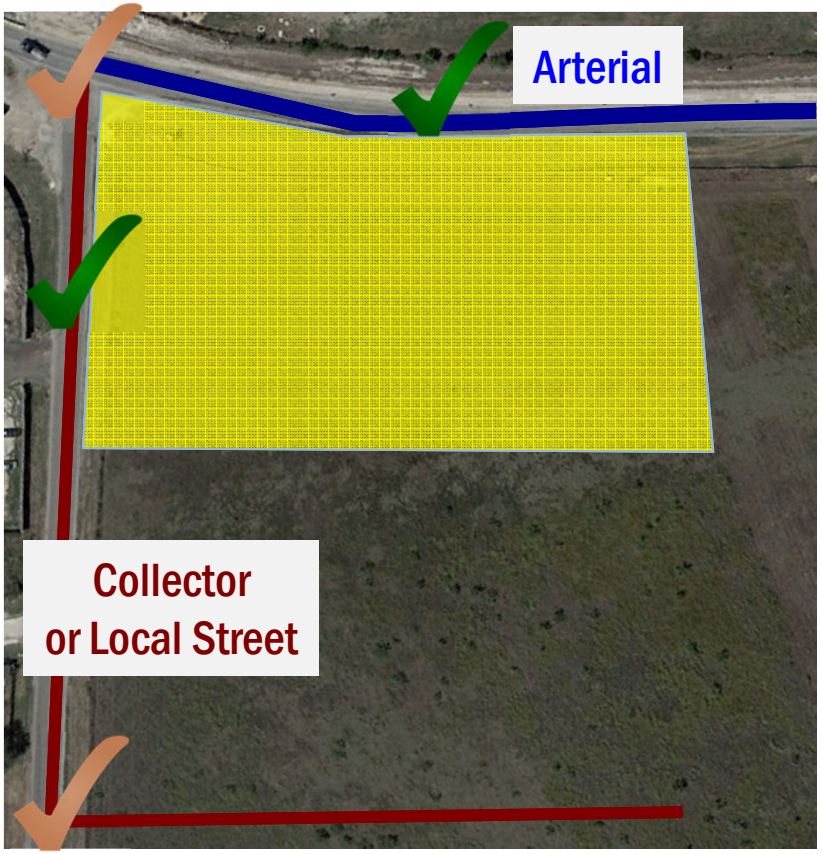
Overview of Current Practices

Paying for Growth

- Property taxes not always enough to keep up with growth
  - Increased property taxes from development covers O&M, services, *but not infrastructure*
- Development should 'pay its share'
  - Right-of-way dedication, street construction, intersection improvements, etc.
  - Should be 'fair'

Austin's Current Policies

- Border Street Policy
  - Require right-of-way (ROW)
  - Require street construction or fee in lieu (i.e. boundary fiscal)
- Traffic Impact Mitigation Policy
  - Construction or fee in lieu "to offset the impacts generated by the proposed development"
  - Intersection improvements, turn lanes, etc.
  - Pro-rata share of improvements



Austin's Standard Practice

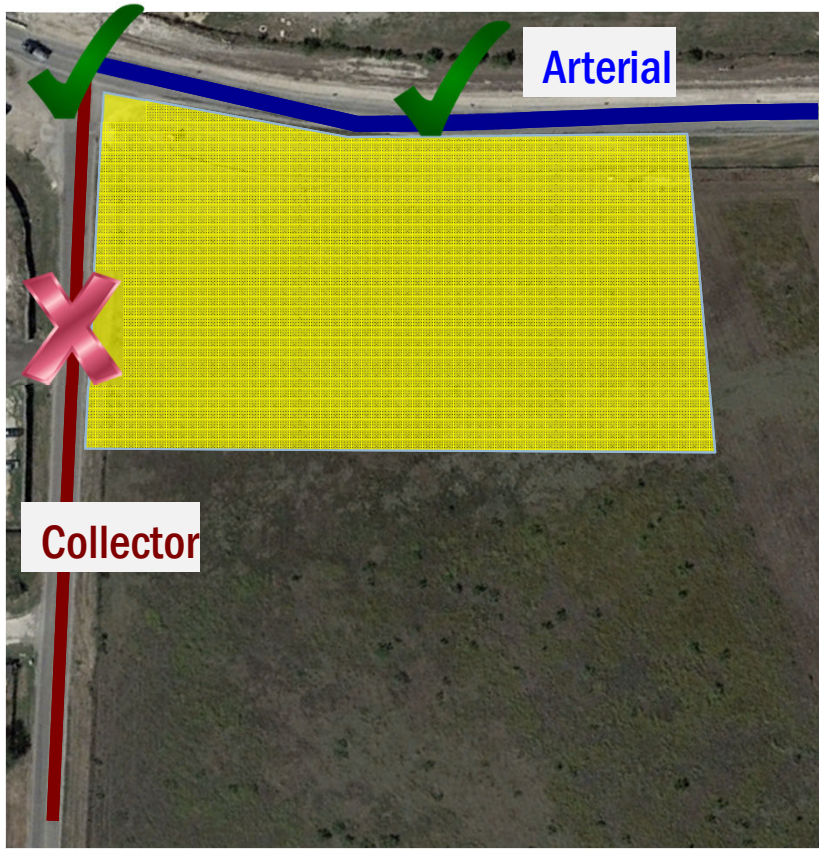
- Mitigation Assessed With A Traffic Impact Analysis (TIA)
  - A TIA is required for developments that generate more than 2,000 trips per day
  - Mitigation may include intersection improvements, ROW Dedication, Signals, Turn Lanes, etc.
  - Mitigation contribution historically based on pro-rata share for development-generated traffic

Austin's Standard Practice

- Mitigation Assessed With A Neighborhood Traffic Impact Analysis (NTA)
  - Sites that have more than 300 trips per day and front on non-arterial streets
  - Mitigation improvements typically limited to the proximity of the site
  - Mitigation may include ROW dedication, signals, multi-modal improvements.

Austin's Standard Practice

- All Other Development - Border Street Policy
  - Limited directly adjacent improvements
  - Require right-of-way (ROW)
  - Require partial street construction per Austin Metropolitan Area Transportation Plan (AMATP)
  - Primary tool for assessing mitigation for sites without a TIA or NTA



Rough Proportionality

Rough Proportionality

Two important U.S. Supreme Court Cases established the principle of 'Rough Proportionality'

- **Nollan vs. California Coastal Commission (1987)** - established that an exaction must have an *essential nexus* to legitimate public interests
- **Dolan vs. City of Tigard (1994) -** established a two-part test for exaction: 1) *essential nexus* and 2) *roughly proportional* in nature and extent of the impact of the development

Legal Background cont.

Rough Proportionality, as interpreted and applied by Texas Supreme Court:

- **Flower Mound vs. Stafford Estates (2002)** – established need for an "individualized determination" or "rough proportionality test"; allows for consideration of development impact to total facilities system; does not require "precise mathematical calculation"

Legal Background cont.

- Texas House Bill 1835
  - Adopted in September 2005
  - Amended the *Local Government Code* to codify rough proportionality and establish a determination process:
    - Dedications, fees, or construction costs
    - "[The] developer's portion of the costs may not exceed the amount required for infrastructure improvements that are **roughly proportionate** to the proposed development…"

What is Rough Proportionality?

A. Legal Principle ✓

Yes, US Supreme Court decisions, Texas Court of Appeals decision, and Texas State Law.

B. Fairness Check ✓

Yes, ensures requirements as a condition of permit are relevant and fair.

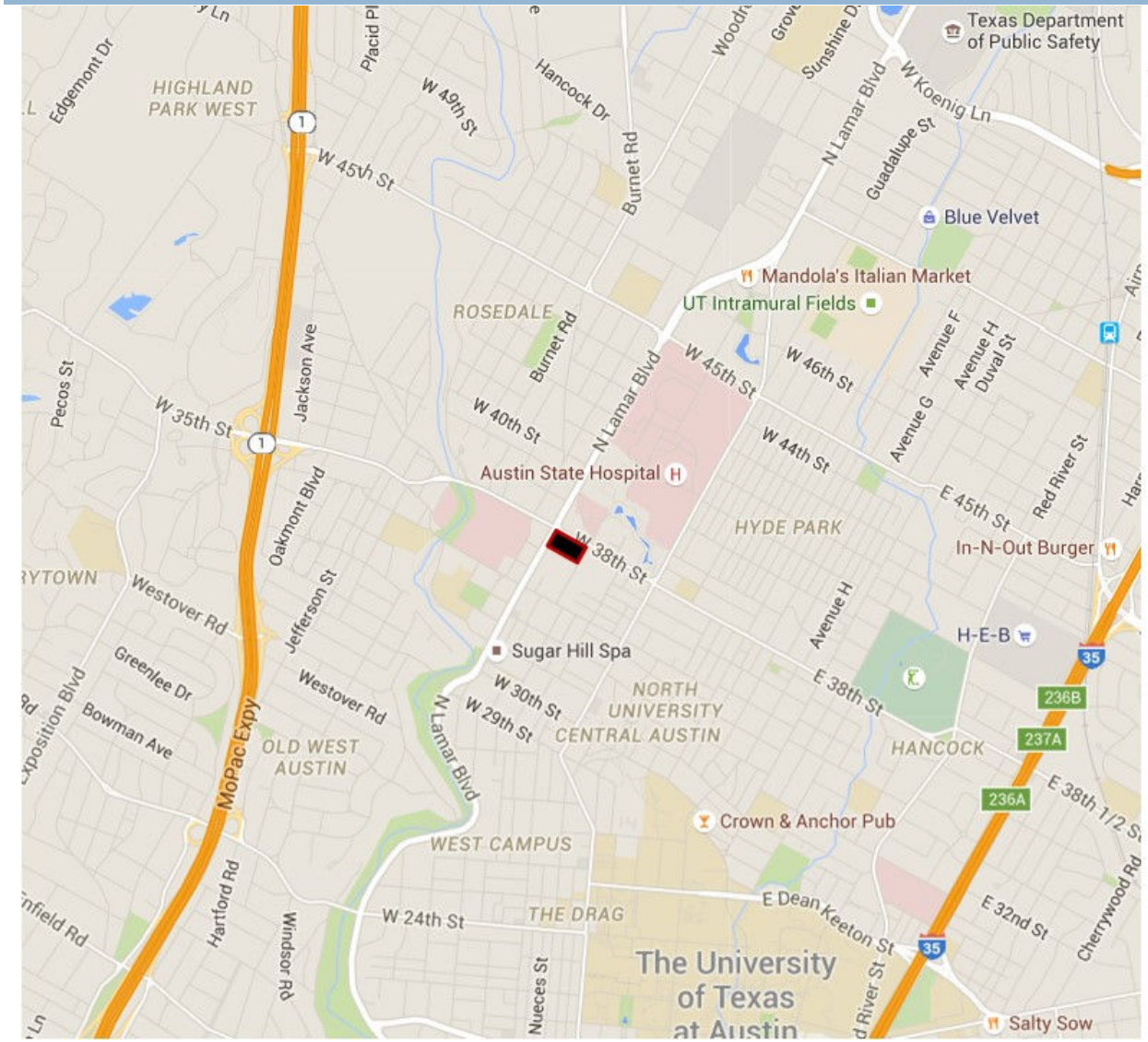
C. Calculation Tool ✓

Yes, a worksheet to compare value of impact to value of requirements.

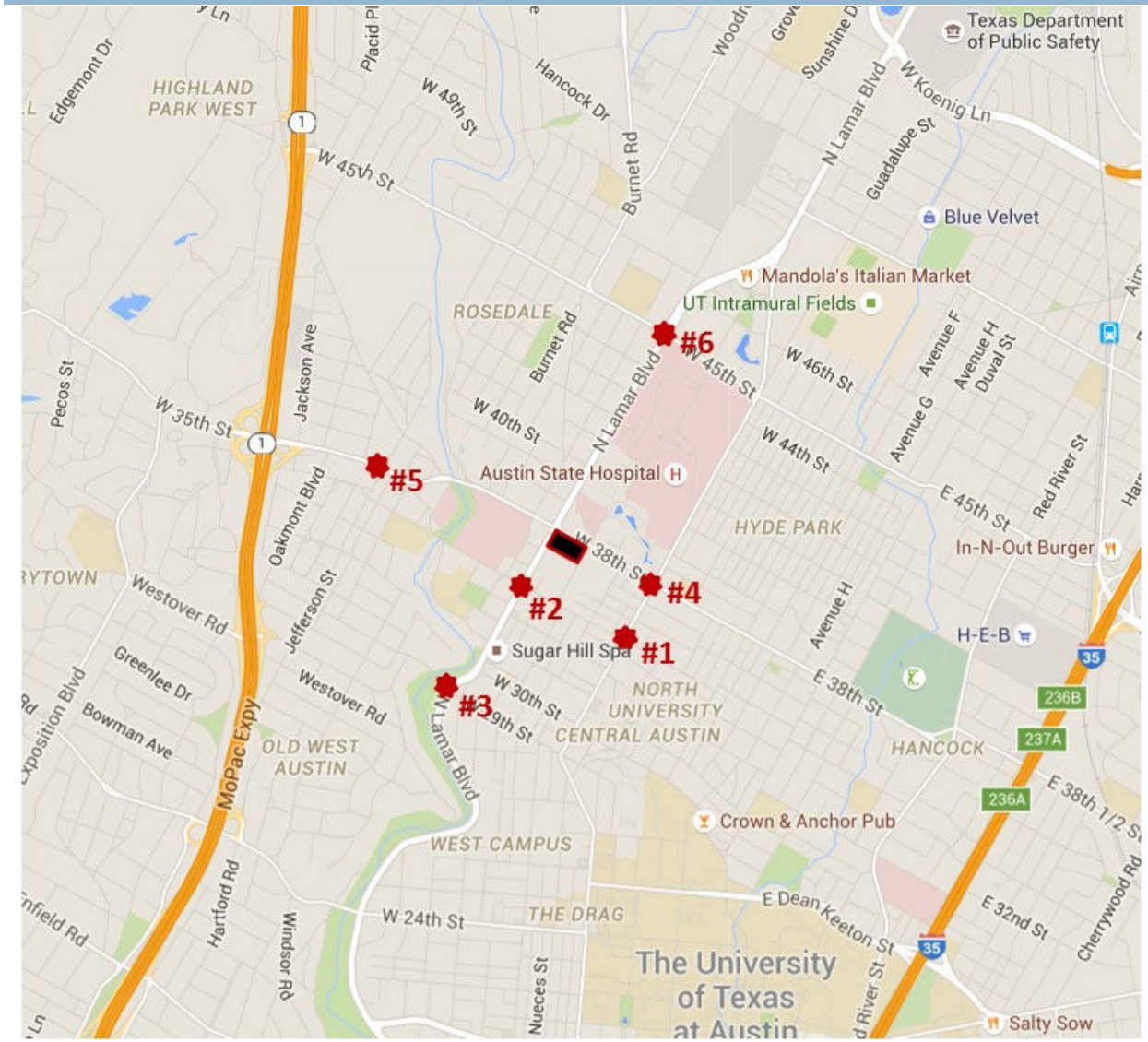
D. City Policy/Rule ✗

No, the Rough Proportionality determination is a part of our standard permitting practice to check compliance with the law.

Rough Proportionality vs Pro-Rata Share



Rough Proportionality vs Pro-Rata Share

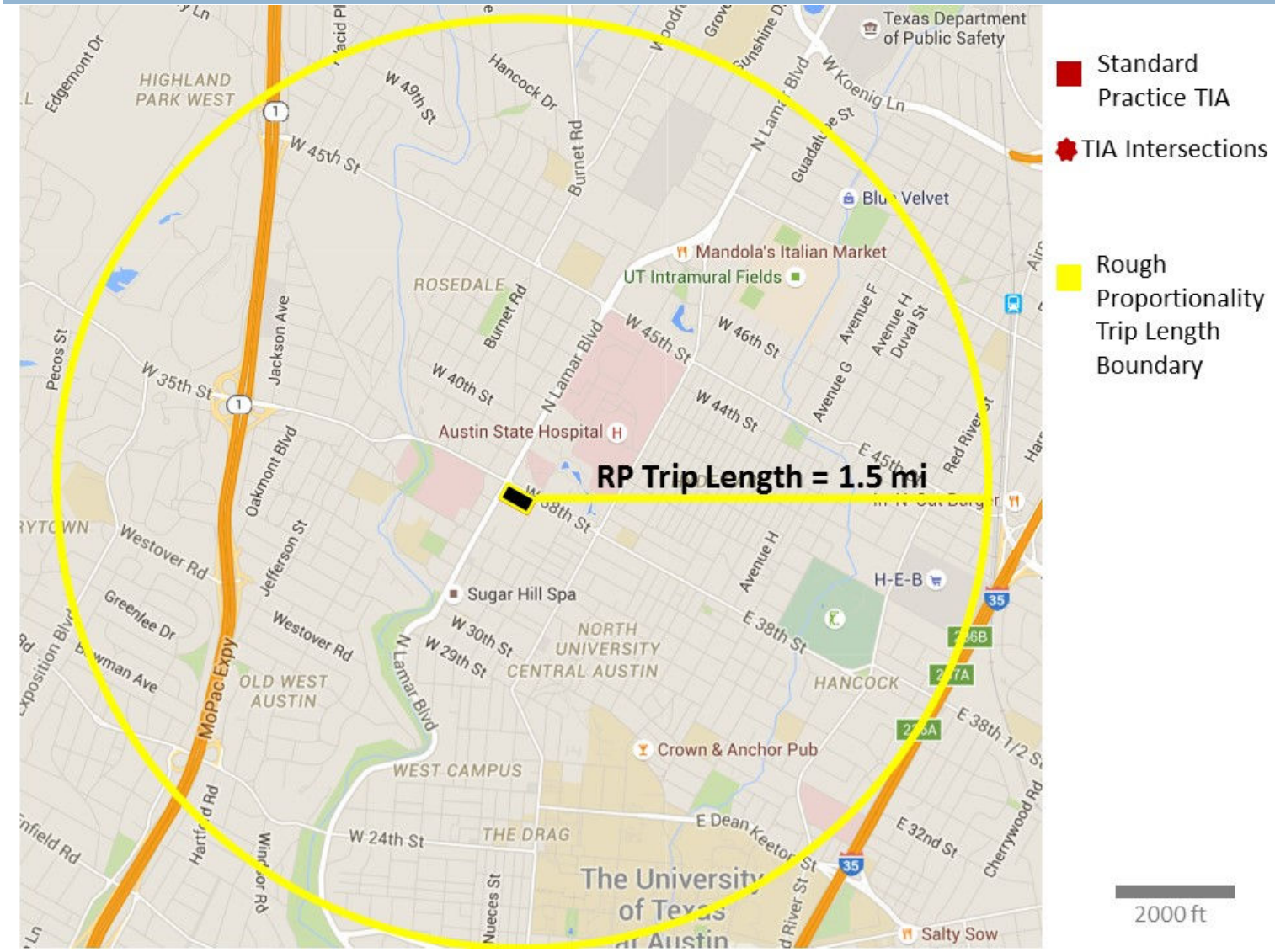


Standard Practice TIA

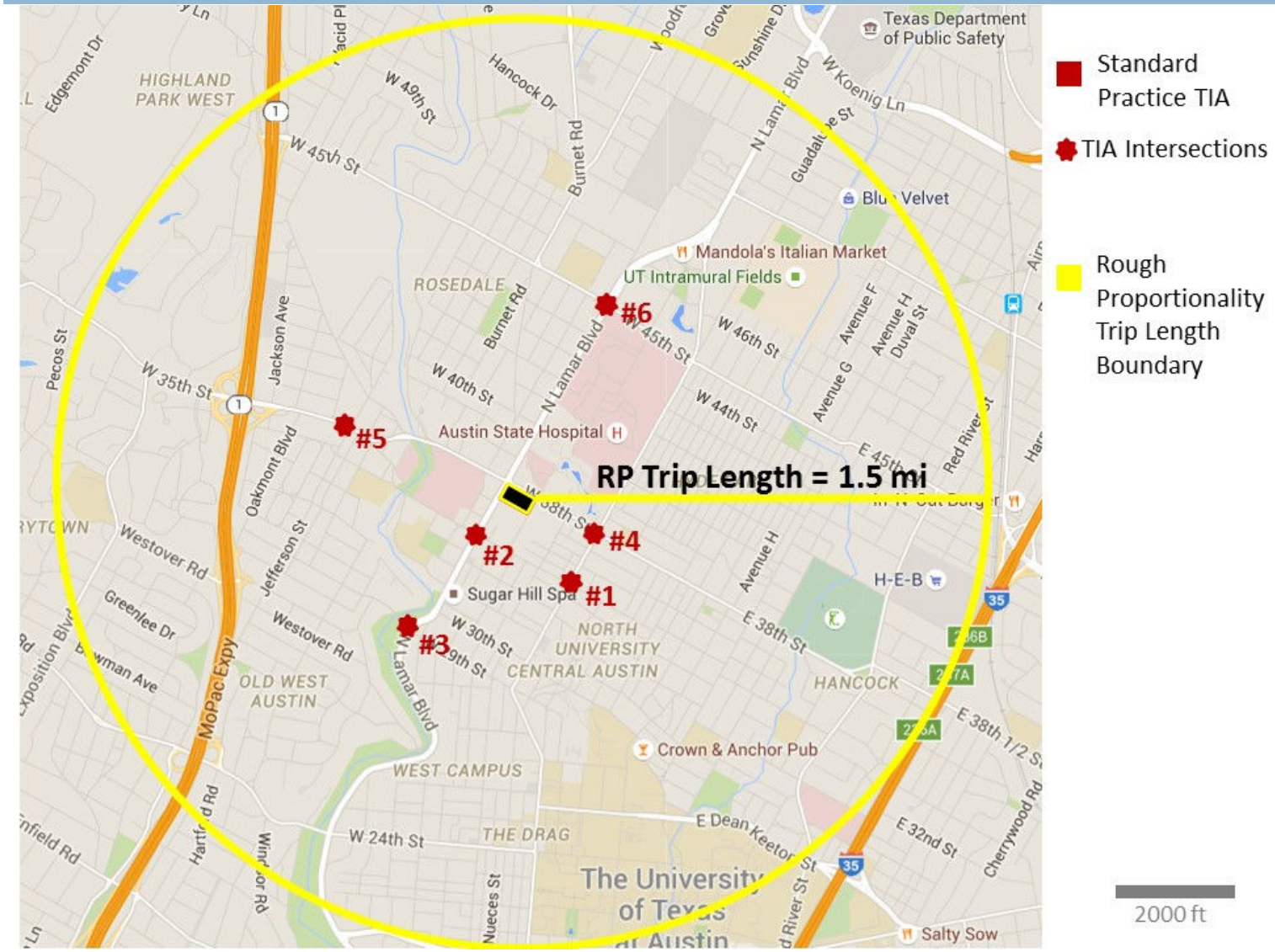
TIA Intersections

Rough Proportionality Trip Length Boundary

Rough Proportionality vs Pro-Rata Share



Rough Proportionality vs Pro-Rata Share



Determination

How is Rough Proportionality Determined?

- Transportation Demand
  - *Generated by Development*
  - Land Use Type
  - Intensity
  - Peak Hour Trip Rate & Length

- Transportation Supply
  - *Required by City/County*
  - Roadway Classification
  - Length
  - Cross-Section
  - Intersection & Roadway Improvements
  - Right-of-Way

Vehicle Miles Traveled (VMT) ≈ $2,276/VMT ≈ $1.6M/lane mile ≈ Construction Cost

Proportionality Worksheet

Includes the following primary tabs:

- **Proportionality** – the primary calculation worksheet
- **Land Use Chart** – a summary of the land uses for the demand calculations
- **Summary of Roadway Costs** – a summary of the costs and capacities provided by the various roadways
- **Pay Items** – a look up table for construction components costs
- **Detailed Roadway Costs Sheets** – tabs for each street type that calculate per mile construction and soft costs

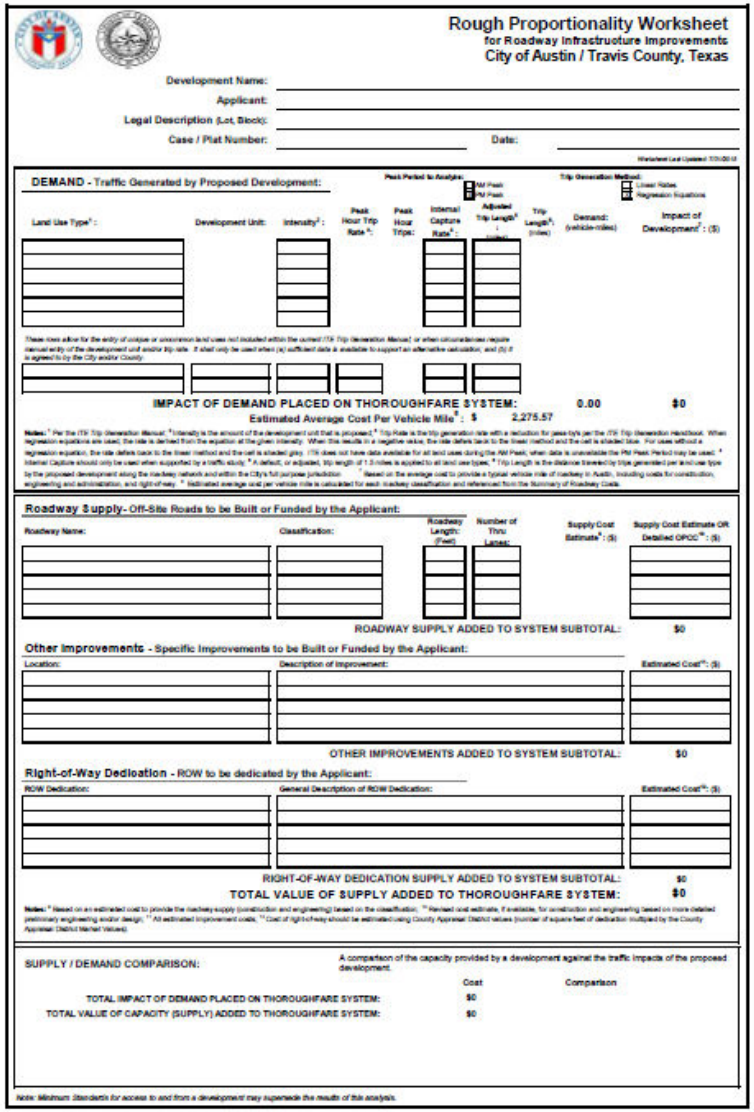
Proportionality Worksheet

- **Development Info**
  Basic description of development

- **Demand Calculation**
  Land use type(s), intensity, trip rates, internal capture rates, trip lengths, etc.

- **Supply Calculation**
  Roadway classification, length, lanes, intersection and other improvements, ROW/easement dedication

- **Determination**
  Comparison of the impact of the demand in dollars to the total value of the transportation supply in dollars



Rough Proportionality Worksheet
for Roadway Infrastructure Improvements
City of Austin / Travis County, Texas

Development Name:
Applicant:
Legal Description (Lot, Block):
Case / Plat Number:
Date:

DEMAND - Traffic Generated by Proposed Development:

Land Use Type[1]: | Development Unit: | Intensity[2]: | Peak Hour Trip Rate[3]: | Peak Hour Trips: | Internal Capture Rate[4]: | Adjusted Trip Length[5]: | Trip Length[5]: (miles) | Demand: (vehicle-miles) | Impact of Development[7]: ($)

IMPACT OF DEMAND PLACED ON THOROUGHFARE SYSTEM: 0.00 $0

Estimated Average Cost Per Vehicle Mile[8]: $ 2,275.57

Roadway Supply- Off-Site Roads to be Built or Funded by the Applicant:

Roadway Name: | Classification: | Roadway Length: (Feet) | Number of Thru Lanes: | Supply Cost Estimate[9]: ($) | Supply Cost Estimate OR Detailed OPCC[10]: ($)

ROADWAY SUPPLY ADDED TO SYSTEM SUBTOTAL: $0

Other Improvements - Specific Improvements to be Built or Funded by the Applicant:

Location: | Description of Improvement: | Estimated Cost[11]: ($)

OTHER IMPROVEMENTS ADDED TO SYSTEM SUBTOTAL: $0

Right-of-Way Dedication - ROW to be dedicated by the Applicant:

ROW Dedication: | General Description of ROW Dedication: | Estimated Cost[12]: ($)

RIGHT-OF-WAY DEDICATION SUPPLY ADDED TO SYSTEM SUBTOTAL: $0

TOTAL VALUE OF SUPPLY ADDED TO THOROUGHFARE SYSTEM: $0

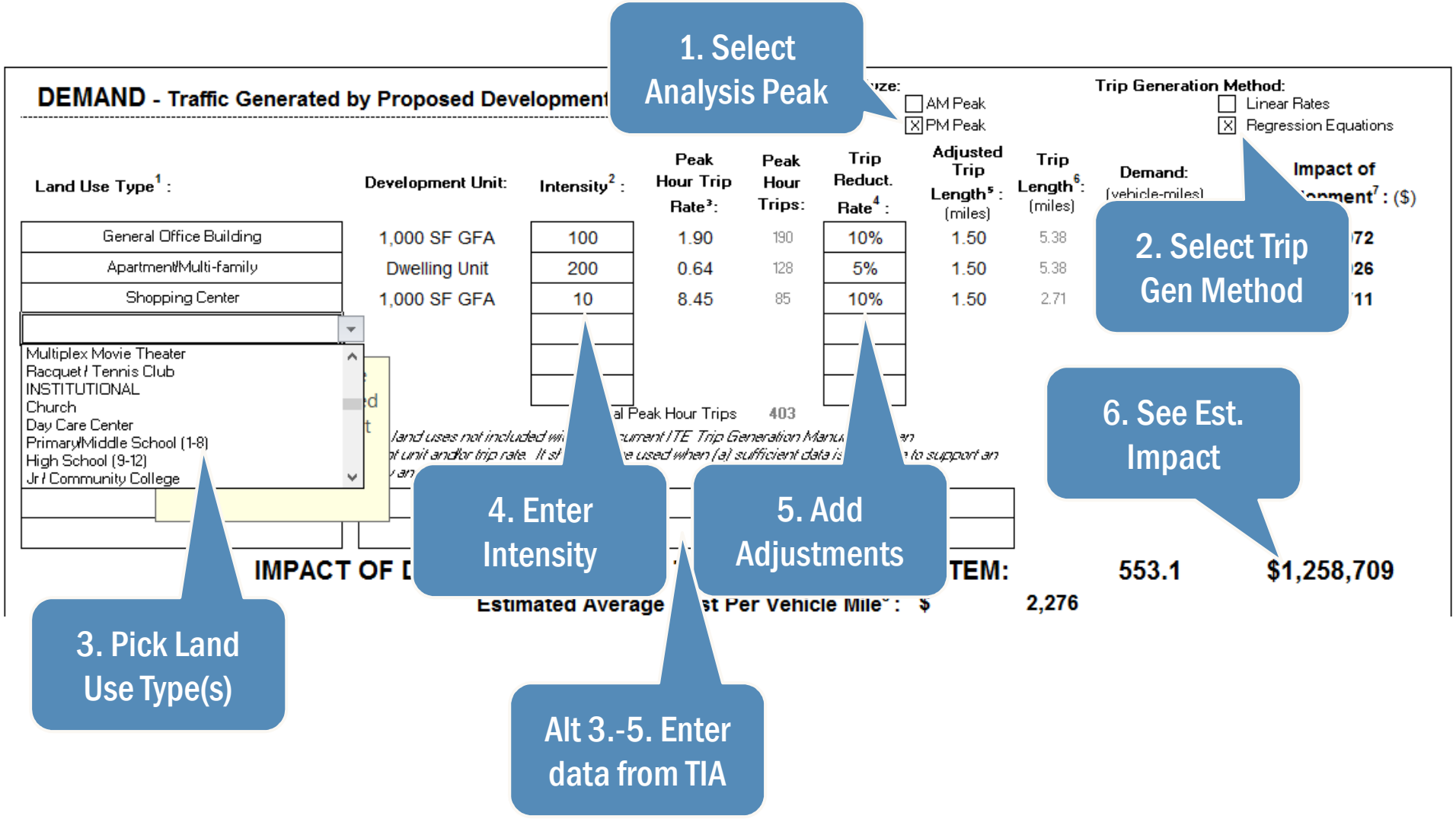
SUPPLY / DEMAND COMPARISON:

A comparison of the capacity provided by a development against the traffic impacts of the proposed development.

	Cost	Comparison
TOTAL IMPACT OF DEMAND PLACED ON THOROUGHFARE SYSTEM:	$0	
TOTAL VALUE OF CAPACITY (SUPPLY) ADDED TO THOROUGHFARE SYSTEM:	$0	

Note: Minimum Standards for access to and from a development may supersede the results of this analysis.

Proportionality Worksheet - Demand



Land Use Chart

Austin / Travis County Proportionality Worksheet - Land Use Chart

Land Use Category	ITE Land Use Code	Development Unit	Trip Gen Rate (AM)	Trip Gen Rate (PM)	Fitted Curve Equation (AM)	Fitted Curve Equation (PM)	Pass-by Rate	AM Peak Hour Trip Rate	PM Peak Hour Trip Rate	Trip Length	Modeled Trip Length Source*	
RESIDENTIAL												
Single-Family Detached Housing	210	Dwelling Unit	0.75	1.00	T = 0.70(X) +9.74	Ln(T) = 0.90 Ln(X) + .51		0.75	1.00	10.75	a	Single-family detached homes on indivi
Apartment/Multi-family	220	Dwelling Unit	0.51	0.62	T = 0.49(X) + 3.73	T = 0.55(X) + 17.65		0.51	0.62	10.75	a	At least 4 rental dwelling units per build
Residential Condominium/Townhome	230	Dwelling Unit	0.44	0.52	Ln(T) = 0.80 Ln(X) + 0.26	Ln(T) = 0.82 Ln(X) + .32		0.44	0.52	10.75	a	Single-family ownership units that have
Mobile Home Park	240	Dwelling Unit	0.44	0.59	Ln(T) = 0.64Ln(X) + 0.96	T = 0.57(X) + 2.06		0.44	0.59	10.75	a	Typically installed on permanent founda
Senior Adult Housing-Detached	251	Dwelling Unit	0.22	0.27	T = 0.17(X) + 29.95	Ln(T) = 0.75 Ln(X) +0.35		0.22	0.27	10.75	a	
Senior Adult Housing-Attached	252	Dwelling Unit	0.20	0.25	T = 0.20(X) - 0.13	T = 0.24(X) + 1.64		0.20	0.25	10.75	a	
Assisted Living	254	Beds	0.14	0.22	n/a	n/a		0.14	0.22	10.75	a	Residential settings that provide either
LODGING												
Hotel	310	Room	0.53	0.60	n/a	n/a		0.53	0.60	5.41	a	Lodging facilities that typically have on-
Motel / Other Lodging Facilities	320	Room	0.45	0.47	Ln(T) = 0.92 Ln(X) - 0.46	T = 0.94(X) - 0.51		0.45	0.47	5.41	a	Lodging facilities that may have small o
RECREATIONAL												
Golf Driving Range	432	Tee	0.40	1.25	n/a	n/a		0.40	1.25	10.70	b	Facilities with driving tees for practice; r
Golf Course	430	Acre	0.21	0.30	Ln (T) = 0.63 Ln(X) +0.40	T = 0.13(X) + 31.30		0.21	0.30	10.70	b	May include municipal courses and priv
Recreational Community Center	495	1,000 SF GFA	2.05	2.74	n/a	n/a		2.05	2.74	10.70	b	Category includes racquet clubs, health
Ice Skating Rink	465	1,000 SF GFA	0.00	2.36	n/a	n/a		0.00	2.36	10.70	b	Rinks for ice skating and related sports
Miniature Golf Course	431	Hole	0.00	0.33	n/a	n/a		0.00	0.33	10.70	b	One or more individual putting courses;
Multiplex Movie Theater	445	Screens	0.00	13.64	n/a	n/a		0.00	13.64	10.70	b	Movie theater with audience seating, m
Racquet / Tennis Club	491	Court	1.31	3.35	T = 2.01(X) - 7.55	n/a		1.31	3.35	10.70	b	Indoor or outdoor facilities specifically d
INSTITUTIONAL												
Church	560	1,000 SF GFA	0.56	0.55	n/a	T = 0.34(X) + 5.24		0.56	0.55	6.30	b	Churches and houses of worship
Day Care Center	565	1,000 SF GFA	12.18	12.34	n/a	n/a	44%	6.82	6.91	3.39	c	Generally includes facilities for care of
Primary/Middle School (1-8)	522	Students	0.54	0.16	n.a	n/a		0.54	0.16	6.30	b	
High School (9-12)	530	Students	0.43	0.13	n/a	n/a		0.43	0.13	6.30	b	

Proportionality Worksheet - Supply

Roadway Supply- Off-Site Roads to be Built or Funded by the Applicant:

Roadway Name:	Classification:	Roadway Length: (Feet)	Number of Thru Lanes:	Supply Cost Estimate[9]: ($)	Supply Cost Estimate OR Detailed OPCC[10]: ($)
Some Street	Major Arterial Divided 4-Lane	1,000	2	$682,280	$682,280

ROADWAY SUPPLY ADDED TO SYSTEM SUBTOTAL: $682,280

1. Describe Roadway

Other Improvements - Spec... ...ilt or Funded by the Applicant:

Location:	Description of Improvement:	Estimated Cost[11]: ($)
Some Street at Another Street	Add signalization	$100,000
Some Street	Add right turn lane	$40,000

...THER IMPROVEMENTS ADDED TO SYSTEM SUBTOTAL: $140,000

2. Describe Traffic Mitigation Improvements

3. Enter Estimated Cost

Right-of-Way Dedication - ROW to be dedicated by the Applicant:

ROW Dedication:	General Description of ROW Dedication:	Estimated Cost[12]: ($)
Adjoining	Strip 20' x 1000' @ $10/SF	$200,000

RIGHT-OF-WAY DEDICATION SU... ...TOTAL: $200,000

TOTAL VALUE OF SUPPLY ADDED ... SYSTEM: $1,022,280

4. Add ROW Description

5. Enter Estimated Cost

6. See Est. Supply Contribution

Summary of Roadway Costs

Austin / Travis County Proportionality Worksheet - Summary of Costs

Classification	Capacity (vphpl)	Number of Lanes	Cost per Mile (for use in Demand Calculations)	% of Roadway Network for Each Facility Type	Cost Per Vehicle Mile (Demand)	Cost Per Foot Per Lane
Residential Collector	425	2	$ 3,380,702		$ 3,977.00	$ 320.14
Neighborhood Collector	475	4	$ 3,864,128		$ 2,034.00	$ 182.96
Commercial Collector	525	4	$ 4,859,306		$ 2,314.00	$ 230.08
Industrial Collector	525	4	$ [illegible]		$ 2,547.00	$ 253.25
Primary Collector Undivided 4-Lane	500	4	$ [illegible]		$ 2,204.00	$ 208.73
Primary Collector Undivided 5-Lane	550	4	$ [illegible]		$ 2,431.00	$ 253.25
Primary Collector Divided 4-Lane	575	4	$ [illegible]		$ 2,514.00	$ 273.74
Primary Collector Divided 6-Lane	600	6	$ [illegible]		$ 2,054.00	$ 233.39
Minor Arterial Divided 4-lane	725	4	$ 6,541,838		$ [illegible]256.00	$ 309.74
Minor Arterial Undivided 4-Lane	650	4	$ 5,178,659	10.23%	$ 1,99[illegible]	$ 245.20
Minor Arterial Undivided 5-Lane	625	4	$ 6,073,245	25.95%	$ 2,420.00	$ 287.55
Major Arterial Divided 4-Lane	750	4	$ 7,204,967	25.05%	$ 2,402.00	$ 341.14
Major Arterial Undivided 4-Lane	600	4	$ 5,956,807	4.88%	$ 2,482.00	$ 282.04
Major Arterial Divided 6-Lane	750	6	$ 9,633,313	33.61%	$ 2,141.00	$ 304.08
Major Arterial Divided 8-Lane	825	8	$ 11,715,845	1.19%	$ 1,775.00	$ 277.36
Average Cost per Vehicle Mile for Arterial Facilities (for use in impact of demand calculations)					$ 2,275.57	

MAD 4 @ $341.14/LF/Lane

Proportionality Worksheet - Determination

SUPPLY / DEMAND COMPARISON:

A comparison of the capacity provided by a development against the traffic impacts of the proposed development.

	Cost	Comparison
TOTAL IMPACT OF DEMAND PLACED ON THOROUGHFARE SYSTEM:	$1,258,709	DEMAND > SUPPLY
TOTAL VALUE OF CAPACITY (SUPPLY) ADDED TO THOROUGHFARE SYSTEM:	$1,022,280	123%

Based on the results of this rough proportionality analysis, the anticipated impact of demand on the system exceeds the value of capacity (supply) provided by the proposed development. Given these assumptions, the anticipated impact of demand of the development exceeds the value of capacity supplied by approximately 123%. Therefore, the roadway improvements required by the City are justified (i.e. the applicant is adding less capacity than needed to support their development).

Based on the results of this rough proportionality analysis, the anticipated impact of demand on the system exceeds the value of capacity (supply) provided by the proposed development. Given these assumptions, the anticipated impact of demand of the development exceeds the value of capacity supplied by approximately 123%. Therefore, the roadway improvements required by the City are justified (i.e. the applicant is adding less capacity than needed to support their development).

Use of Rough Proportionality

- Sets a Limit/Checks Requirements
- Self 'Determination'
- Preliminary and Final Determinations
- Credits

Use of Rough Proportionality

- What Applies?
  - Requirements not design standards
    - Right-of-way/easement, boundary street construction, intersection and roadway improvements, or fiscal in lieu
  - Part of typical development approval process
- How is Rough Proportionality Determined?
  - Compare the peak hour **demand created** by development to the **supply required** by City/County
  - Spreadsheet comparison
  - Same approach to HB 1835 as ~30 other TX cities

Rough Proportionality Assumptions

- Austin's Roughly Proportional Model utilizes a fixed trip length of 1.5 miles
- Within that 1.5 miles there are impacts based on the demand on the complete network
- Current state is pro rata share and a static analysis
- Austin's RP model based on approach used by approximately 30 other municipalities
- RP tool and policies are available for download on the Development Services Website

Transportation Code Amendments

Transportation Code Amendments

- Modify Code Chapter 25-6
  - Off-site Transportation Improvements
    - Authorize staff to require construction
    - Allow payment of fee in-lieu
    - Accommodates future code for off-site mitigation
  - Planning Commission Codes & Ordinances Subcommittee April 19, 2016
  - Full Planning Commission recommendation April 26, 2016
  - City Council consideration – May 5, 2016

Transportation Code Amendments

- Modifications to LDC Chapter 25-6
  - Defines Transportation Plan and System
  - Codifies Requirement for Proportionality Determinations
    - Off-site ROW or transportation improvements
    - Bring City's process into compliance with LGC § 212.904
  - Clarifies ROW Reservation & Dedication
    - Authorizes as condition to development approval
    - Authorizes dedication requirements for improvements to support all modes of travel
    - Proposed determinations required for off-site ROW

Transportation Code Amendments

- Modify Code Chapter 25-6
  - Off-site Transportation Improvements
    - Authorize staff to require construction
    - Allow payment of fee in-lieu for required offsite improvements
    - Accommodates future code for off-site mitigation

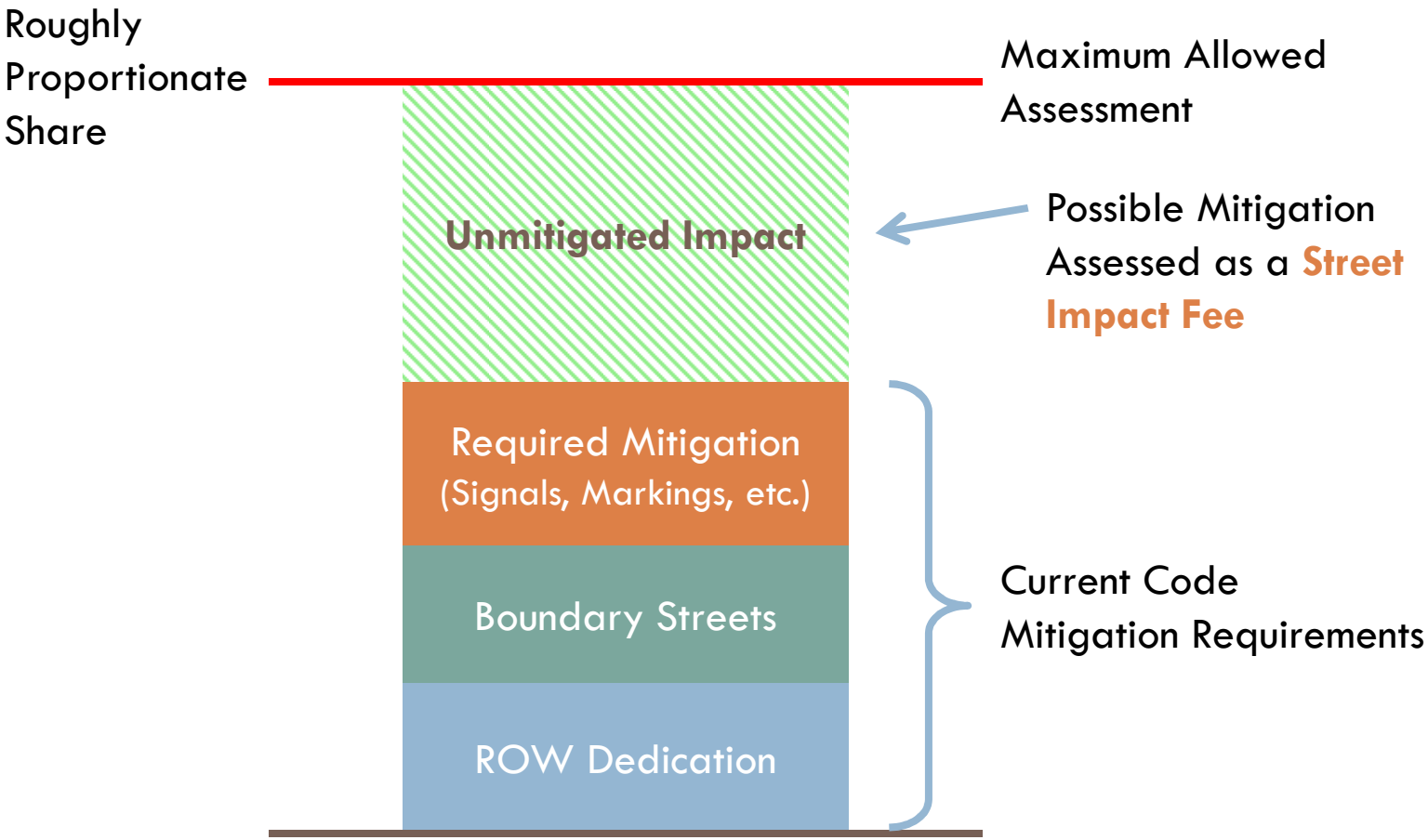
Mitigation Options: No TIA or NTA

- Clarifies that the director may require mitigation for development that does not require a TIA or a NTA
- Without a TIA or NTA, required offsite improvements may not be further than from the proposed development than:
  - one-quarter mile; or
  - three-fourths of a mile, for an improvement required to provide access between the proposed development and a school, bus stop, public space, or major street.

Mitigation Options: No TIA or NTA

- Required offsite improvements are limited to:
  - sidewalks and curb ramps;
  - traffic signs, markings, and upgrades to signal infrastructure;
  - traffic calming devices;
  - bike lanes and upgrades to bike facilities;
  - rectangular rapid flashing beacons;
  - pedestrian refuge islands;
  - pedestrian hybrid beacons; and
  - measures to limit transportation demand, as provided under the Transportation Criteria Manual.
  - Other measures previously identified through administrative programs

Roughly Proportionate Share – Relationship to Other Mitigation Tools



Questions

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