

## Chapter 4309 TRAFFIC STANDARDS CODE

### 4309.03 Definitions.

For purposes of Chapter 4309 the following definitions shall apply:

"Horizon-Design Year" means the anticipated completion year of a proposed ~~d~~Development assuming full build-out and occupancy or ten years beyond the current year, whichever is later. ~~Horizon years analyzed shall be stated in the memorandum of understanding.~~

"Columbus Multimodal Thoroughfare Plan Roadway" means a roadway listed within the Columbus Multimodal Thoroughfare Plan, as adopted per City Ordinance No. 1950-2019, and as amended or updated by Columbus City Council.

"Development" means the construction or alteration of buildings, structures, parking facilities, or roadways within:

- a parcel or parcels of land; or
- a parcel of land to be subdivided into multiple parcels of land and public right-of-way.

"Director" when used without clarification means the Director of the Department of Public Service or designee.

"Institute of Transportation Engineers or ITE" means the professional society of transportation engineers and planners professionally engaged in planning, designing, operating, managing, and maintaining surface transportation systems for the safe and efficient movement of people and goods on streets, highways, and transit systems.

"Major development" means a new development or expansion of an existing development expected to generate the following number of average trip ends at the peak hour of the land use or the peak hour of the roadway, whichever is more significant:

~~400 or more trip ends:~~

~~Fast food restaurant;~~

~~Service station;~~

~~Supermarket;~~

~~Convenience market;~~

~~Shopping center.~~

~~200 or more trip ends:~~

~~All other uses.~~

~~Trip ends are calculated using the latest ITE trip generation methodology and definitions.~~

" Memorandum of Understanding" means a memorandum requested by the Director when applications or plans for a Development demonstrate a likelihood of requiring a Traffic Impact or Access Study submitted by the traffic impact study preparer. The Memorandum of Understanding, with which the city Director concurs, confirming topics, procedures, assumptions, data sources, report contents, timetables, horizon Design Years, time periods analyzed, and other items to be addressed in the Traffic Impact or Access Study. Detailed

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requirements for the Memorandum of Understanding are found in the Development Traffic Studies Rules and Regulations promulgated pursuant to Section 4309.04 of this Chapter.

~~"Nonmajor development" means a new development or expansion of an existing development that is expected to generate fewer average trip ends at the peak hour of the land use or the peak hour of the roadway than a major development.~~

~~"Roadway improvement area" means an area, to be defined in each memorandum of understanding, that at a minimum shall include:~~

- ~~(A) All site access points and major signalized or unsignalized intersections within an area bounded by the nearest arterial intersection or signalized intersection in all directions from the subject development site. Any modified area as determined by the department of public service, in consultation with the department, based on factors reasonably related to the study area, including, but not limited to:~~
- ~~(1) Local or site-specific factors;~~
  - ~~(2) Development type or size;~~
  - ~~(3) Traffic conditions; and~~
  - ~~(4) Public goals and policies potentially affected by the proposed development.~~

"Satisfactory Level of Service" means a minimum level of service of "D" for the overall intersection and a minimum level of service of "E" for each individual movement at an intersection, as defined in the current version of the Highway Capacity Manual as published by the Transportation Research Board. For an unsignalized intersection, a volume-to-capacity ratio of less than 1.00 may be approved by the Director in lieu of the level of service requirements defined in the previous sentence.

"Traffic Access Study" means a report determining and recommending necessary improvements to allow any Development access points to the nearby Transportation System.

~~"Traffic Impact Study or TIS" means a report determining and recommending necessary improvements to the nearby road Transportation System to maintain Ssatisfactory Llevels of Sservice and safety for a proposed dDevelopment. A traffic impact study shall ascertain the level of specific improvements required to mitigate the impact of the proposed development and incorporate existing and potential development and redevelopment sites in the general vicinity of the subject development site. The traffic impact study area, and land use assumptions therein, shall be defined in each memorandum of understanding.~~

- ~~(A) As part of the traffic impact study, the following site and off-site development factors shall be identified and examined:~~
- ~~(1) Impacts and transportation infrastructure needs required to maintain horizon year roadway level of service both with and without site development. These shall be assessed separately.~~
  - ~~(2) The impact of all significant developments in the traffic impact study area that have been approved or are likely to occur by the horizon year. These shall be assessed separately from those of the proposed development.~~
  - ~~(3) For each horizon year, off-site traffic volumes shall be estimated.~~
  - ~~(4) Improvements necessary to accommodate the nonsite traffic in the horizon year at level of service "D" shall be determined.~~
  - ~~(5) Development proposed to be located on the site under study shall be categorized by specific land use type consistent with classifications contained in the latest edition of Trip Generation, published by ITE.~~

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- ~~(B) If the proposed land use or density is inconsistent with the Columbus Comprehensive Plan or adopted area plan, a comparison of the traffic impacts of the proposed development and the impacts resulting from plan provisions shall be made using classifications contained in Trip Generation.~~
- ~~(C) The traffic impact study shall determine for the transportation improvements required the rough proportionality of the improvements attributable to the traffic generated by the proposed development to total traffic.~~
- ~~(D) A traffic impact study shall make recommendations that:~~
- ~~(1) Address conclusions resulting from analyses of the proposed development's access needs and impacts on the transportation system;~~
  - ~~(2) Address feasible transportation system improvements needed to satisfactorily accommodate site-generated and nonsite-generated traffic which will be identified separately;~~
  - ~~(3) Reflect improvements currently planned or programmed by any public or private agency and may include information concerning relevant project scheduling changes;~~
  - ~~(4) Address an implementation sequence that will provide maximum compatibility with the overall roadway system needed for network effectiveness;~~
  - ~~(5) Are sensitive to:~~
    - ~~(a) Timing of committed and scheduled network improvements;~~
    - ~~(b) Anticipated time schedules of adjacent developments;~~
    - ~~(c) Size and timing of individual phases of the proposed development;~~
    - ~~(d) Logical sequencing of various transportation improvements;~~
    - ~~(e) Amount of right-of-way needed and time required for acquisition;~~
    - ~~(f) Local long-range priorities for transportation improvements and funding, including the Columbus Thoroughfare Plan;~~
    - ~~(g) Cost effectiveness of implementing improvements at a given stage of development;~~
    - ~~(h) Lead time necessary for additional design and construction; and~~
    - ~~(i) Standards and policies of other public agencies and jurisdictions.~~
- ~~(E) A traffic impact study shall contain:~~
- ~~(1) A cover containing the development's name and location, applicant's name, preparer's name, and report date;~~
  - ~~(2) A title page containing all information on the cover plus the applicant's address, telephone and fax numbers; preparer's address, telephone and fax numbers; and preparer's engineering registration seal;~~
  - ~~(3) A table of contents which lists all major section headings by title and page number;~~
  - ~~(4) A list of exhibits identifying all maps and tables by name and page number;~~
  - ~~(5) An executive summary in the initial chapter presenting the study's purpose, issues, synopsis, conclusions, and recommendations;~~
  - ~~(6) Text and exhibits to clearly present and describe conditions, conclusions and recommendations of the study;~~
  - ~~(7) Additional materials as agreed upon in memorandum of understanding.~~

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“Transportation System” means a network of infrastructure to serve the needs of vehicular traffic, pedestrian traffic, bicycle traffic, or transit and may include roadways, bridges, guardrail, curbing, sidewalks, shared-use paths, roadway drainage facilities, curb ramps, crosswalks and appurtenant elements, traffic signals and appurtenant elements, roundabouts, signs, pavement markings, transit stop facilities, parking facilities, street lighting, street trees, landscaping, or other necessary utility facilities.

#### **4309.04 Process.**

The Director shall promulgate rules and regulations pertaining to the preparation of a Traffic Impact Study and a Traffic Access Study. The proposed rules and regulations shall be promulgated by filing the same with the City Clerk for publication in the City Bulletin pursuant to Section 121.05 of Columbus City Codes.

#### **4309.05 Traffic Impact Study required.**

- (A) A Traffic Impact Study shall be required for the following if the Memorandum of Understanding demonstrates the traffic generated by the following results in 200 or more estimated non-pass-by trip ends at the peak hour of the land use:
- (1) Major developments involving a rezoning, preliminary subdivision plat, zoning variance, or special permit. All new Developments;
  - (2) Nonmajor developments when, based on engineering judgment and the guidelines presented in the current edition of the ITE's recommended practice report, circumstances specific to that project warrant the preparation of a traffic impact study. A request for a nonmajor development's traffic impact study shall be made within 30 days of receipt by the department of public service of the application for a rezoning, preliminary subdivision plat approval, zoning variance, or special permit. The expansion of an existing Development; or
  - (3) Any development where the latest ITE Trip-Generation report does not address the traffic impact of that proposed land use, unless waived by the director of the department of public service and/or their designee. This traffic impact study shall demonstrate if the project is major or nonmajor in scope and if found to be major in scope, all requirements for major projects outlined in this chapter shall be followed. All Developments requesting:
    - (a) Rezoning;
    - (b) Zoning Variance;
    - (c) Special Permit; or
    - (d) Preliminary subdivision plat approval.
  - (4) Any development where the development plan changes significantly between the time that a rezoning, preliminary subdivision plat, zoning variance, or a special permit is granted or approved and a subsequent rezoning, preliminary subdivision plat, zoning variance, or special permit is sought.
- (B) The requirement for a traffic impact study may be waived by the director of public service and/or their designee if a developer presents data demonstrating the development's uniqueness and the traffic generation rate for the development is expected to be less than that commonly observed at other developments in the same land use category and which traffic generation rate is too low to require a traffic impact study. A Traffic Impact Study may be required for Developments if the Memorandum of Understanding demonstrates the traffic generated will add 100 or more non-pass-by trip ends at the peak hour of the land use at a single, adjacent intersection or based on other factors contained in the current

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version of the Multimodal Transportation Impact Analysis for Site Development recommended practice report of the Institute of Transportation Engineers.

- (C) A revised or new Traffic Impact Study may be required when Development plans described in the Memorandum of Understanding change significantly from the time the original Traffic Impact Study is approved. This may include:
- (1) Land use change;
  - (2) Access location change;
  - (3) Significant land use change close to the site; or
  - (4) Any other significant change to the site.
- (D) Traffic Impact Studies shall maintain a Satisfactory Level of Service and safety.
- (E) Traffic Impact Studies shall ascertain the level of specific improvements required to mitigate the impact of any Development access points and to mitigate the impacts of Development traffic at the required off-site intersections.
- (F) The Director may waive requirements imposed upon the developer to prepare a Traffic Impact Study when the preparation of a study would create unnecessary or duplicate analysis when considering the following factors, including but not limited to:
- (1) Existing roadway infrastructure;
  - (2) Planned capital improvement projects;
  - (3) Proximity of buildings to right-of-way at potential study intersections that may render additional right-of-way dedication and modification of lane configurations at such potential study intersections infeasible; and
  - (4) Previous studies in the vicinity of the site (either privately or publicly funded).
- (G) Detailed requirements for Traffic Impact Studies are found in the Development Traffic Studies Rules and Regulations developed pursuant to Section 4309.04 of this Chapter.

#### **4309.06 Traffic Access Study.**

- (A) A Traffic Access Study is required when the Memorandum of Understanding demonstrates a likelihood that a Development will increase traffic, but the increase is not significant enough to require a Traffic Impact Study as described under Section 4309.05 of this Chapter.
- (1) Traffic Access Studies shall maintain a Satisfactory Level of Service and safety; and
  - (2) Traffic Access Studies shall ascertain the level of specific improvements required to mitigate the impact of any Development access points.
- (B) A Traffic Access Study may be required if the Development meets one or more of the following site modification criteria AND meets one or more of the following location criteria:
- (1) Site modification criteria:
    - (a) New construction;
    - (b) Expansion of an existing building; or
    - (c) Change of use of an existing building that represents a significant increase in trip generation of the site.
  - (2) Location criteria:

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- (a) The Development is on a Columbus Multimodal Thoroughfare Plan Roadway;
  - (b) The Development is on a roadway on the High Crash Prioritization List or High Injury Network, as established by rules and regulations promulgated by the Director;
  - (c) The Development is on an arterial or collector roadway not contained on the Columbus Multimodal Thoroughfare Plan; or
  - (d) The Development is on a collector or local roadway proximate to a signalized intersection, roundabout, or other arterial roadway intersection.
- (C) The Director may waive requirements imposed upon the developer to prepare a Traffic Access Study when the preparation of a study would create unnecessary or duplicate analysis when considering the following factors, including but not limited to:
- (1) Existing roadway infrastructure;
  - (2) Planned capital improvement projects;
  - (3) Proximity of buildings to right-of-way at potential study intersections that may render additional right-of-way dedication and modification of lane configurations at such potential study intersections infeasible;  
or
  - (4) Previous studies in the vicinity of the site (either privately or publicly funded).
- (D) Detailed requirements for Traffic Access Studies may be found in the Development Traffic Studies Rules and Regulations developed pursuant to Section 4309.04 of this Chapter.

#### **4309.07 Development Requirements—Vehicular Modes.**

- (A) Favorable staff recommendations concerning approval of rezonings and zoning variances, or staff approval of special permit applications, and preliminary subdivision plats, and Development plans are contingent, in part, upon assumption by the developer of financial responsibility for the amount of necessary roadway infrastructure as defined in the Traffic Impact Study or Traffic Access Study. The amount of roadway infrastructure required shall be roughly proportional to the Development's contribution to total traffic growth within the limits of the Traffic Impact or Access Study at the study's horizon Design Year.
- (B) If requested by developer, the city Director may relax waive requirements imposed upon the developer for necessary roadway infrastructure, as described under Section 4309.07(A), when:
- 1-(1) The city Director determines that the identified improvements are not in the best interests of the city due to physical and/or environmental limitations or if the city chooses to finance the improvements;  
or
  - 2-(2) A determination is made by the Director of public service and/or their designee that the enforcement of these requirements for roadway improvements would result in a gross inequity. The applicant shall bring the situation to the attention of the Department of Public Service to request such a determination be made.
- ~~(C) The contribution shall be quantified or otherwise determined using traffic projection studies or other methods as the city may reasonably require to be conducted by the applicant prior to approval of the development plan.~~

#### **4309.08 Development Requirements – Non-Motorized Modes.**

- (A) Favorable staff recommendations concerning approval of rezonings, zoning variances, or staff approval of special permit applications, preliminary subdivision plats, and Development plans are contingent, in part, upon assumption by the developer of financial responsibility for the necessary pedestrian infrastructure

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pursuant to Sections 4309.08(B) and (C). The amount of pedestrian infrastructure required shall be roughly proportional to the Development's contribution to the pedestrian traffic growth.

(B) Additional off-site pedestrian infrastructure may be required by the City if a Development exceeds any of the following thresholds:

(1) residential: 50 units;

(2) retail and/or restaurant uses: 20,000 square feet; or

(3) other nonresidential (including mixed use Developments): 30,000 square feet.

(C) If the thresholds in Section 4309.08(B) are exceeded, a determination is required whether the existing off-site pedestrian facilities provide at a minimum, but not limited to:

(1) Adequate off-site pedestrian connections to access the existing sidewalk network;

(2) Adequate off-site pedestrian connections to access the nearest transit stop for each cardinal direction of travel in the vicinity of the site; and

(3) Adequate crosswalk facilities within the vicinity of the site.

(D) If requested by developer, the Director may waive the requirements imposed on developer for necessary roadway infrastructure, as described in this Section, when:

(1) The Director determines that the identified improvements are not in the best interests of the city due to physical and/or environmental limitations or if the City chooses to finance the improvements; or

(2) A determination is made by the Director and/or their designee that the enforcement of these requirements for pedestrian infrastructure would result in a gross inequity.

#### **4309.09 Process.**

~~The director of the department of public service and the director shall promulgate rules and regulations designed to guide in the preparation of a traffic impact study.~~

#### **4309.11 Horizon year and time period.**

~~(A) Each traffic impact study shall address traffic conditions in the horizon year.~~

~~(B) If the proposed development is to be implemented in phases, each major phase shall be analyzed at the appropriate horizon year.~~

~~(C) For each defined horizon year, specific peak time periods related to the land use proposed shall be analyzed.~~

#### **4309.13 Documentation, ~~r~~Review and ~~r~~Revision.**

Each ~~€~~Traffic ~~€~~Impact ~~€~~Study and ~~T~~Traffic Access Study ~~will shall~~ be reviewed by a review team of staff members appointed by the ~~€~~Director of public service and/or their designee. A ~~€~~Traffic ~~€~~Impact ~~€~~Study or ~~T~~Traffic Access Study which is judged incomplete by the aforementioned review team will be returned to the applicant for additional work.

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#### **4309.15 Qualifications of preparer.**

- (A) ~~A traffic impact study~~ Traffic Impact and Access Studies shall be prepared by an Ohio registered professional engineer ~~professionals with training and experience in traffic engineering, under the supervision of a registered professional engineer with training and experience in traffic engineering~~ including operations and safety analysis.
- (B) The ~~responsible registered engineer~~ who prepared the Traffic Impact or Access Study shall sign and seal ~~the traffic impact such~~ study.
- (C) The preparer shall not be a member of the Traffic Impact Study or Traffic Access Study review team. Neither shall the preparer be related to a review team member nor hold a financial interest in the project under study.

#### **4309.17 Right-of-way Requirement.**

- (A) An applicant for a rezoning, zoning variance, special permit, or preliminary subdivision plat approval shall dedicate rights-of-way for roadways along and through subject properties as stipulated in the Columbus Multimodal Thoroughfare Plan.
- (B) The Director may establish a right-of-way dedication exception policy to evaluate situations where the enforcement of these right-of-way dedication requirements could result in a gross inequity.

#### **4309.19 Public record.**

Each ~~Traffic Impact Study and Access Study~~ shall become part of the public record upon initial submittal to the ~~city's~~ Director's study review team.