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MEMORANDUM

To: Honorable Mayor and City Council

From: Richard Meehan, Director of Public Works

Date: August 17, 2009

Subject: **Discussion on Traffic Calming Draft Policy**

One of the key issues facing the City is the speed and volume of vehicular traffic in several of our residential neighborhoods and the desire of the residents of these neighborhoods to have Traffic Calming implemented where there are known problems. Currently, the City has 11 active Traffic Calming Districts where traffic calming devices have been or about to be installed.

In December, the City Council passed Ordinance Chapter 17 – Traffic and Public Roadways which included a Traffic Calming Policy as established by Dekalb County. Based on the feedback we received from our presentation at the July Work Session, we have prepared a draft Revised Traffic Calming Policy for the City Council to discuss. In you package I have included the following items:

- Draft Traffic Calming Policy
- Draft Flow Chart of Proposed Policy
- Comparison Chart with Surrounding Jurisdictions
- Current Traffic Calming Policy (Chapter 17, Article 5)
- Flow Chart of Current Policy

In the draft policy, I have highlighted some of the key provisions and changes. The main changes we are proposing are:

- Implement volume criteria (400 to 4000 vehicles per day, or 100 vehicles per hour) to determine which streets are eligible for active traffic calming measures.

- Elimination of the City Council approval for the neighborhood to begin the final petition process. Since the City Council will still have final approval before installation can begin, the approval to begin the petition process is somewhat redundant. By eliminating one of the City Council approvals, we can streamline the process for the neighborhoods but still retain the ability of the City Council to have the final say on approval.

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- Implementation of a cost sharing provision for initial installation of traffic calming devices. We are proposing a 50/50 split of the costs with the affected neighborhood. In the current policy, the city is responsible for paying all of the construction costs. In the draft policy, we call for these funds to be paid before the traffic calming devices are installed. This would allow the city to collect the funds up front before the cost of construction is paid, however, it may be difficult for some neighborhoods to raise/collect the money unless they have a mandatory HOA which few do. The other option for obtaining the funds from the neighborhood is to do a special assessment fee on the tax bills for their portion of the cost of construction. This could be done as a onetime assessment fee or spread over a period of 2 to 3 years. While this method will assess all properties equally, the city will be required to front the construction costs and to take the risk of non-payment of the fee.

- Revise the petition voting requirement to require 90% of the properties in the affected area to vote/sign the petition with 75% of the properties voting in favor of the proposed traffic calming. The current policy requires only 65% approval. Especially with the proposed cost sharing, we feel that it is necessary for everyone in the affected neighborhood to understand and to be informed about what is being proposed. The minimum voting percentage puts the burden on the neighborhood to be sure that this occurs. The higher approval percentage will also put the burden on the neighborhood to get a consensus for the proposed traffic calming before coming before the City Council for final approval.

- Revise the petition voting requirement to 75% approval for removal of traffic calming devices.

We are asking City Council to review this draft policy and provide us comments, direction, and proposed revisions. We have presented the draft in policy format, but since the current policy is part of the City Ordinances, we will incorporate the Council's comments and direction and draft the policy in ordinance format for presentation for the council for a First Read at the September Work Session.

CITY OF DUNWOODY
PUBLIC WORKS DEPARTMENT

DRAFT TRAFFIC CALMING POLICY

Article 3.6

Version DRAFT

Article 3.6

I. Introduction

Because of increased congestion on the City's arterial and collector road network, combined with driver's desires to find shorter travel routes, drivers frequently seek alternate travel routes. Frequently, the routes include the City's local and residential neighborhood streets. Many of these streets have experienced increases in volume and speeding that has diminished the quality of life and the safety of residents, pedestrians, bicyclist, and other motorists.

Traffic Calming as defines by the Institute of Transportation Engineers (ITE), is the use of physical and psychological devices "to reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users." The use of Traffic Calming techniques may return the quality of life and safety in a neighborhood by alerting drivers to share the road, drive with more care, drive more slowly, and, in some cases, divert to more appropriate routes.

While each neighborhood and each situation may be somewhat unique, a systematic approach is taken by the Traffic Calming Program. Thus, the same definitions and criteria, as outlined in this policy, are applied in all cases. As a part of that approach, the transportation system of the City needs to be considered as a whole. Solving a problem on one neighborhood or street should not cause another problem to appear somewhere else.

II. Minimum Requirements

In order for the installation of Traffic Calming Measures to be considered, the following criteria must be met:

1. Only streets classified as Local and/or Residential with a speed limit of 30 mph or less are eligible for the Traffic Calming Program.

2. Streets classified as Arterial, Collector, and/or Thoroughfare are Not Eligible for Traffic Calming.

3. Daily Traffic Volumes (ADT) must be between 400 and 4000 Vehicles Per Day, or the Peak Hour Volume must exceed 100 Vehicles Per Hour.

4. The 85th Percentile speed as measured by a speed study must be 11 mph greater than the posted speed limit of the street.

5. The traffic study must show that the Traffic Calming techniques will not divert traffic on to other local and/or residential streets in the study area.

6. Emergency Vehicle access must be preserved

7. Pedestrian and Bicycle access must be preserved

8. The neighborhood Traffic Calming plan shall be designed using sound planning practices and engineering judgment.

III. Traffic Calming Process

1. Homeowners' Association, neighborhood group, or individual reports can request a Traffic Calming Project for their neighborhood or street by submitting an Application Form (Appendix A)

2. Public Works Department with schedule and conduct an Initial Meeting with the Neighborhood Coordinator to discuss:
   - Application Process
   - Traffic Study Process
   - Petition Requirements
   - Financial Participation
   - Potential Passive Traffic Calming Solutions

3. Public Works Department will conduct appropriate studies, as approved by City Manager, to determine the existence and extent of the problem
   - If the results of the study indicate there is no traffic problem, the neighborhood will be informed in writing
   - If the results of the study indicate there is a traffic problem, Public Works staff will develop a traffic calming report, including suggested solutions

4. Public Works staff schedules a public neighborhood meeting to discuss study findings, suggested solutions, definition of the affected area, anticipated costs, and the petition process

5. Public Works will prepare a preliminary design of the proposed solution and prepare the formal petitions for the Neighborhood Coordinator to distribute for signature.

6. To show awareness and consensus for the proposed traffic calming plan, the neighborhood must submit a petition to Public Works with votes and signatures of 90% of the households in the Affected Area with 75% of the households approving the proposed plan (see Appendix B for example petition forms)

7. Public Works shall verify the signatures on the petition and, once verified, will develop a final project design and cost, based on the suggested solution.

8. Final design and cost will be presented to the Mayor and City Council for funding and approval

9. The City will fund 50% of the cost, and the neighborhood will fund 50% of the cost necessary for construction of the preferred devices and the execution of the agreement. Funding available for traffic calming will be dependent on the City's budget for the current fiscal year. In cases where the neighborhood would like to pay 100% of the cost of the installation of the traffic calming devices and they meet the criteria set forth in this policy, the City may grant them permission to proceed with the installation of the traffic calming devices. City staff will act as program manager in these cases.

10. Passive measures and/or any needed modifications or temporary measures may be implemented and studies for effectiveness before active measures are installed

11. Upon City Council approval, funding in the City budget, and payment of 50% of the anticipated cost by the neighborhood, the traffic calming project will be implemented at the direction of the Public Works Department.

12. Each property in the affected area will be assessed a $25 fee per year on their property tax bill for maintenance of the Traffic Calming Devices, beginning the year after the devices are installed.

13. Within 6 months of project installation, Public Works staff will conduct follow-up studies to measure project effectiveness

14. In the case of resurfacing, most existing traffic calming devices will need to be removed in order for resurfacing to take place. However, existing traffic calming devices will be considered as grandfathered and will be replaced with following completion of the resurfacing project. No additional neighborhood funding or petitions will be required

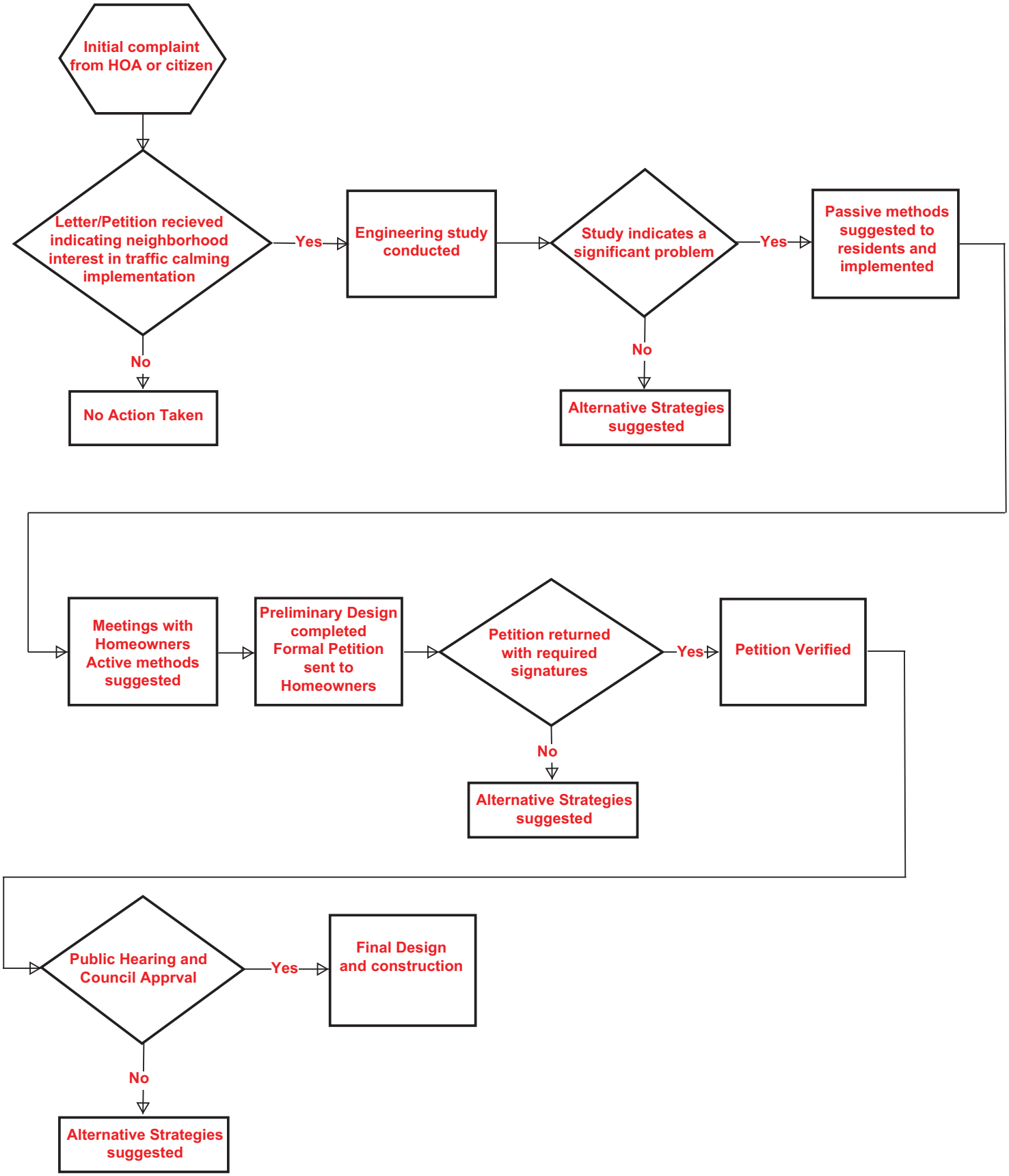
IV. Removal of Traffic Calming Devices

If the neighborhood decides that they no longer want previously installed traffic calming devices, they must follow the same procedure to obtain 75% support by petition as listed above for installation. Active traffic calming devices should remain in place at least 12 months before removal. If devices are removed, the road must also be brought back to City standards. Removal should be done by a qualified contractor at no cost to the City of Dunwoody. The City of Dunwoody reserves the right to remove speed humps for any reason.

Appendix A – Example Traffic Calming Measures

Appendix B –Petition Letter and Forms

City of Dunwoody
Traffic Calming Flow Chart



City Of Dunwoody Traffic Calming
Policy Comparison with Surrounding Jurisdictions

Organization	Petition percentage	Funding Mechanism	Maintenance Fee	Volumes as criteria?	Definition of street
Dunwoody Proposed	75 Approval 90% voting	Cost Share (50/50)	Yes - $25/yr	Yes (400-4000 ADT, >100 Peak)	Local Residentail
DeKalb County Dunwoody Current	65	Public	Yes - $25/yr	Yes	Residential
Atlanta	75	Public	No	No	Local residential for humps; collectors for islands
Cobb County	65	Public	No	No (300-3000 range)	Local residential
Conyers	75	Public	No	No (200-1000 range)	Residential
Decatur	65	Public	No	Yes	Any
Fulton County	75 / 90	Applicant	N/A	No	Local residential
Gwinnett	70 (90 if speeds not met)	Public	Yes	No	Local residential
Marietta	65	Public	No	No (300-3000 range)	Local residential
Rockdale County	85	Public	No	No	Residential
Roswell	65 (with reductions)	Cost share (75/25)	No	Yes (100 peak 1000 ADT)	Residential
Sandy Springs	90	Cost Share (50/50)	No	Yes (400-4000 ADT, >100 Peak)	Residential
Smyrna	70	Public	No	Yes	Local residential

Article 5: Traffic Calming Measures

Section 1: Definitions

For purposes of this Article, certain terms and words are defined. Where words have not been defined, but are defined in a subsequent sub-section of this Article, those words shall have the meaning as defined therein. The following words, terms and phrases when used in this Article shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AASHTO means the American Association of State Highway and Transportation Officials.

Affected area means a geographic portion of a neighborhood consisting of all property owners whose quality of life as a resident in the neighborhood, and not necessarily as a traveler through the neighborhood, is being directly impacted by the cut-through or speeding traffic problem being addressed. The affected area will include all lots from which residents must traverse the traffic calming measure. The affected area will also include all lots from which residents may have an alternate route without traffic calming measures but whose lots have driveways that access the residential street for which traffic calming measures are sought.

Department means the Public Works Department.

Eligible petitioner means the person whose name is recorded as a property owner in the tax records maintained by the DeKalb County's tax commissioner and board of tax assessors for the address listed on the petition that falls within the affected area.

Initiator is a real property owner who has requested an initial interest petition form and/or has assumed a primary role in circulating the initial interest petition and the subsequent traffic-calming petition and undertakes to serve as the City's sole contact with respect to the progress of the initial interest petition and any subsequent traffic study and traffic-calming petition.

I. T. E. means the Institute of Transportation Engineers.

MUTCD means the Manual on Uniform Traffic Control Devices.

Real property owners means homeowners or other real property owners as indicated in the tax records maintained by the DeKalb County tax commissioner and board of tax assessors.

Reference number means the number assigned to a completed initial interest petition which meets the City's criteria for a study that will be used to determine the order in which traffic studies will be conducted.

Residential street means a street classified and defined as "residential" in the records of the City of Dunwoody Community Development Department.

Traffic-calming measures means those methods and processes, prescribed by "AASHTO" or other nationally recognized organizations, that the City may use to reduce aggressive driving

behavior that impairs the quality of life of its citizens in any neighborhood in which the posted speed limit is no greater than thirty (30) miles per hour. Such measures include, but are not limited to, speed humps, bicycle lanes, center traffic islands, splitter islands, and striping and turn restriction lanes.

Traffic-calming program guidelines means the guidelines for the design and application of speed humps and alternative traffic-calming measures as adopted by DeKalb County with the traffic-calming program in May 1995 and revised thereafter in March 2001, or as may hereafter be revised by the City of Dunwoody.

Traffic study means the process by which data pertinent to the flow, rate of speed and density of traffic, collected over a defined period of time, is measured and analyzed to determine its impact on the safety of citizens within a neighborhood or affected area.

Section 2: Application

The provisions of this Article shall govern in the event that there is any conflict between the provisions of this Article and the provisions in the Speed Humps and Alternative Traffic-Calming Measures Program adopted by DeKalb County in 1995 and amended thereafter, as well as the Guidelines for the Design and Application of Speed Humps and Alternative Traffic-Calming Measures Manual adopted by DeKalb County in 1995 and amended thereafter, collectively referred to herein as the traffic-calming program. The City hereby adopts the current DeKalb County Speed Humps and Alternative Traffic-Calming Measures Program and the current DeKalb County Guidelines for the Design and Application of Speed Humps and Alternative Traffic-Calming Measures Manual, and as they may be amended hereafter by the City. All initial interest petitions and traffic studies pending as of the effective date of the ordinance adopting this Article shall be required to comply with and shall be subject to the provisions of this Article.

Section 3: Procedure for requesting a traffic study

(a) The City shall require the filing of the initial interest petition on a form promulgated by the Department Director or designee.

(b) Any person(s) interested in pursuing the installation of traffic-calming measures on a residential street, upon request to the Department, will be provided with an initial interest petition for the Department to perform a traffic study. The initial interest petition must be marked with the date on which it is required to be returned to the Department, hereinafter referred to as the return date. Such return date shall be forty-five (45) days after the date the Department issues the initial interest petition. The initial interest petition will allow for persons to sign in favor of requesting a traffic study or to register their opposition to the conduct of a traffic study.

(c) All persons signing an initial interest petition to request that the Department carry out a traffic study shall hereinafter be referred to as applicants. All persons opposed shall hereinafter be referred to as opponents.

(d) All applicants and opponents must be either real property owners or rental occupants.

Section 4: Initial Interest Petition

(a) The Department will not consider an initial interest petition unless it is complete, as that term is defined herein, and unless at least twenty (20) percent of the real property owners or rental occupants on the residential street are in favor of the traffic study.

(b) The completed initial interest petition shall be filed with the Department by the return date as provided for in Section 3(b) above or it shall be deemed abandoned and any further action by the City will require a new initial interest petition.

(c) In order to be considered complete, the initial interest petition shall include all of the following:

(1) The full name, signature, home address, and daytime telephone number of each person that signed the initial interest petition.

(2) The date upon which each person signed the initial interest petition.

(3) A description of the precise area for which the traffic study is requested by reference to the name of the subdivision or popular name of the neighborhood, or the bridges, streets, roads and where appropriate with house numbers that identify the area where a perceived speeding or cut-through problem exists.

(4) The name, address and telephone number of an initiator.

(d) Only one (1) real property owner or renter for each street address may sign the initial interest petition.

Section 5: Evaluating the initial interest petition and informing the initiator

(a) Upon receipt of a completed initial interest petition, the Department will make a determination as to whether at least twenty (20) percent of the real property owners or rental occupants on the residential street are in favor of the traffic study.

(b) After the Department has received the complete initial interest petition, no signature will be withdrawn from an initial interest petition unless the Department is notified in writing within thirty (30) days, that there is reasonable proof that fraud or other impropriety occurred regarding the obtaining of the petitioner's signature.

(c) Within sixty (60) days, the initiator of the initial interest petition will be notified in writing by the Department as to whether the initial interest petition meets the criteria for a traffic study. In the event that the Department decides to conduct a traffic study, the written notification to the initiator will include a reference number assigned to the initial interest petition for the conduct of the study.

(d) In the event that the initiator moves away or is otherwise no longer a point of contact for the Department and a new initiator's name or address has not been provided to the

Department, the Department shall consider the initial interest petition abandoned and shall cease all work on processing of the initial interest petition and any subsequent traffic study.

Section 6: Traffic study to comply with national standards

National standards promulgated by the American Association of State Highway and Transportation Officials, the Institute of Transportation and other national standards shall govern the execution of traffic studies and the design and installation of traffic-calming measures.

Section 7: Priority for the conduct of traffic studies

(a) The Department will conduct traffic studies based on the reference number assigned to the completed initial interest petition.

(b) The Department reserves the right to change the order in which a traffic study is conducted where the Department determines that there is an initial interest petition further down the waiting list for an area that may relate to, or be affected by, another traffic study to be conducted on a neighboring street or in a neighboring area.

Section 8: The affected area and the traffic-calming plan

(a) Where a traffic study is warranted it will be conducted at a time to be determined by, and within the sole discretion of, the Department.

(b) Upon completion of a traffic study, the Department shall make a determination as to whether the results clearly demonstrate that the installation of traffic-calming measures are warranted based upon the criteria established in the traffic-calming program guidelines.

(c) When considering traffic-calming program guidelines relating to speeding, the determination regarding whether the established criteria for traffic-calming measures have been met will be based on a comparison of actual study speeds obtained to the posted speed limit. When considering the criteria in traffic-calming program guidelines that relate to cut-through, the determination will include a comparison of cut-through traffic volumes obtained in a study to allowable volumes of cut-through traffic established in those guidelines.

Section 9: Notification that traffic-calming measures are not warranted

Following the completion of the study, if the Department Director or designee determines that no traffic-calming measures are warranted, then the Department Director or designee shall notify the initiator of that conclusion in writing.

Section 10: Notification to the initiator for commencement of traffic-calming conceptual design and presentation of the traffic calming plan for public hearing

(a) Where traffic-calming measures are warranted the Department shall, within a reasonable time following the completion of the traffic study, not to exceed twelve (12) months, prepare a traffic-calming conceptual plan and notify the initiator in writing about the traffic-calming conceptual plan.

(b) The traffic-calming conceptual plan must identify the affected area and include a recommendation for a specific traffic-calming measure or a combination of such measures that the Department has determined to provide the most effective solution to the speeding and/or cut-through problems identified in the traffic study for installation in the affected area, having regard to the pavement width, grades, the physical features of the proposed location for the installation measures and any structures that facilitate drainage. The plan may also include alternative measures that could be installed to provide some relief to the speeding and/or cut-through problems identified in the traffic study for installation in the affected area, having regard to the pavement width, grades, the physical features of the proposed location for the installation measures and any structures that facilitate drainage.

(c) A public comment period, not to exceed twelve (12) months, shall commence on the date that the letter of notification is sent to the initiator pursuant to subsection (a). During that public comment period, Department staff assigned to work on the traffic-calming conceptual plan shall meet with the initiator(s) and other interested persons for neighborhood input and public comment on the traffic-calming conceptual plan.

(d) The Department shall, within 60 days of the completion of the public comment period present the traffic-calming conceptual plan to the City Council for a public hearing at a regularly scheduled meeting, of the City Council.

(e) The date, time, place and purpose of the public hearing must be advertised in the City's legal organ at least once within three (3) weeks prior to the hearing. The Department shall also post signs within the affected area informing residents of the date, time and place of the public hearing and its purpose.

(f) The City Council may vote to accept or reject the Department's recommendation for installation of the most effective traffic-calming measures, or to accept any alternative measures provided by the Department. Additionally, the City Council may vote to defer the item for up to sixty (60) days for additional review by staff with respect to the traffic-calming measures recommended and the affected area to which the proposed measures would apply.

Section 11: Traffic calming petition; choice of measures

(a) Following the public hearing at which the City Council accepts the recommended or alternative measures, the Department Director or designee shall provide the initiator with a traffic-calming petition form to be used for recording all of the signatures. The petition must set forth the traffic-calming measures approved by the City Council that shall be the subject of the vote and the eligible petitioners will thereby have the opportunity to vote in favor or in opposition to the approved measures. No other measure may be included on the petition.

(b) The initiator is responsible for circulating the traffic-calming petition to all eligible petitioners in the affected area.

(c) A traffic-calming petition must be returned to the Department within ninety (90) days of the City Council's decision allowing the installation of traffic-calming measures or it will be

deemed abandoned and no further action shall be taken on the traffic calming petition or the initial interest petition from which it arose.

(d) The traffic-calming petition shall indicate the full name, signature, home address date, and daytime telephone number for each person signing the selection petition.

(e) The tax records maintained by DeKalb County's tax commissioner and board of tax assessors shall control in determining whether a signatory to the petition is a real property owner and thus an eligible petitioner.

(f) In the event that the City Council votes to reject the Department's recommendation no further action shall be taken with respect to traffic calming measures for at least twelve (12) months.

Section 12: Creation of a special tax district and assessment of costs associated with the maintenance of the traffic-calming measure

(a) In order to be eligible for the creation of special tax district the petition must secure signatures in favor of the installation of traffic-calming measures from eligible petitioners representing sixty-five (65) percent of properties in the affected area.

(b) In the event that the petition secures the requisite percentage of signatures in favor of the approved traffic-calming measure or combination of traffic calming measures, the Director of the Department shall present a Resolution to the City Council at a regularly scheduled meeting and the City Council shall thereafter by said Resolution approve the creation of a special tax district. Advertising for said meeting must comply with Section 10(e) above.

(c) The special tax district shall be created to include all of real property in the affected area for which the traffic-calming measure was approved. An annual maintenance charge in an amount to be determined by the City Council shall be assessed to and collected from property owners within the affected area as part of their annual property tax assessment for the maintenance of the traffic-calming measures installed pursuant to the creation of the special tax district.

Section 13: Removal of traffic-calming measures

(a) Upon presentation of a petition from eligible petitioners representing sixty-five (65) percent of the properties in the affected area, traffic-calming measures previously installed may be removed. No such petition shall be presented earlier than twelve (12) months after initial installation of the traffic-calming measure(s).

(b) A removal petition may be obtained from the Department Director or the Director's designee.

(c) The removal petition shall be returned and filed with the Department within ninety (90) days of the date on which it was provided pursuant to a request or it shall be deemed abandoned and any further action by the City shall require a new removal petition.

(d) The removal petition shall be presented to the City Council at a public hearing within sixty (60) days of the receipt of the petition. The date, time, place and purpose of the public hearing must be advertised in the City's legal organ at least once within three (3) weeks of the hearing. The Department shall also post signs within the affected area informing residents of the date, time and place of the public hearing and its purpose.

Article 6: Abandoned Vehicles

Section 1: Definitions

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial motor vehicle means any self-propelled or towed vehicle, or combination of such, designed or used to transport passengers or property and satisfies all or one of the following criteria:

(1) Has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds;

(2) Is designed or used to transport more than eight passengers, including the driver, for compensation;

(3) Is designed or used to transport more than 15 passengers, including the driver, and is not for compensation; or

(4) Is used in transporting hazardous material in a quantity requiring placards in accordance with the motor carrier safety rules prescribed by the United States Department of Transportation, 49 CFR 172.500--172.560.

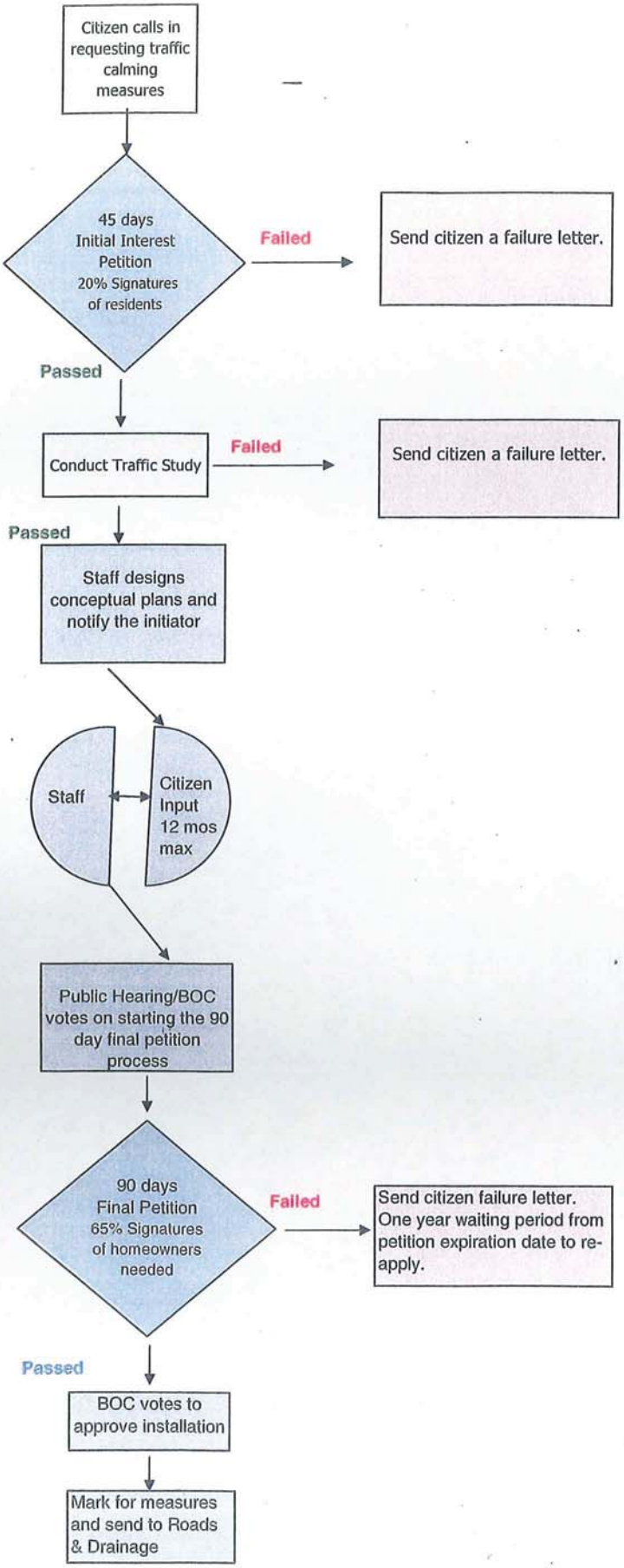
Recreational vehicle means any self-propelled or towed vehicle, or combination of such, used for leisure time activities or as a dwelling unit while traveling. Examples include a camper, a motor home and a travel trailer.

Trailer means any nonautomotive vehicle designed to be towed for the purpose of transporting or carrying objects or persons.

Section 2: Parking or abandonment prohibited

It is unlawful for any person to park or abandon a commercial motor vehicle, recreational vehicle, or trailer upon the streets or upon the rights-of-way of the streets and allow said commercial motor vehicle to remain parked or abandoned for more than 72 consecutive hours.

DeKalb County's Traffic Calming Program



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