

## COUNCIL INITIATIVE PROPOSAL FORM

**City Code Sec. 2-214(14).** *Council Initiatives.* This section of the agenda is reserved for individual councilmember requests for future legislative or staff action. These shall be limited to giving direction to staff to assist in formulating policies, work plans, etc. for future consideration of the city council. An initiative moves forward by majority vote of the city council.

**City Charter Sec. 3.08.** *Interference with Administration.* Except for the purposes of inquiries and investigations, the Council, its members and the Mayor shall deal with the City officers and employees who are subject to the direction and supervision of the City Administrator solely through the City Administrator.

COUNCIL MEMBER PROPOSING INITIATIVE: ASPENLIEDER

SHORT NAME OF INITIATIVE: SUBDIVISION & DEVELOPMENT TRAFFIC IMPACT STUDY  
REQUIREMENT MODIFICATIONS & IMPACT FEES

TERMS OF MOTION PROPOSING LEGISLATIVE OR STAFF ACTION: (Please be as specific as possible. Indicate if action is to be divided into steps or phases. Use separate sheet if needed.)  
I move that we dedicate work session time to discuss clarify within the Subdivision Regulations that a Traffic Impact Study (TIS) is due at the time of Preliminary Plat submittal not at the time of Completeness and Sufficiency Review by Planning and to discuss the implementation of a Traffic Impact Fee system to replace development TIS requirements.

CITY STAFF OR DEPARTMENT POTENTIALLY IMPACTED BY INITIATIVE: Public Works, Planning

HAS COUNCIL MEMBER COMMUNICATED WITH CITY ADMINISTRATOR ABOUT THE INITIATIVE?  
YES  NO

ESTIMATE OF APPROXIMATE STAFF AND COUNCIL TIME REQUIRED: For clarification of the TIS submittal it should be handled within 30 minutes of a Work Session and if deemed necessary, a consent agenda. I attached Pg 49 of the Subdivision Regulations which clearly states the situation, but it needs affirmation because it is not being implemented properly by Planning/Engineering staff. The creation of a Traffic Impact Fee system will take considerable time within Public Works to set fees and may require outside consultant contracting to help create the structure. This has been discussed several times and PW has indicated that they too would like to do something like this to simplify the TIS process but have not been able to due to time and staffing. Understanding that, I'd like to have a Work Session conversation about how to prioritize this and still leave enough schedule to allow for staff to get it completed with setting an arbitrary schedule.

APPROXIMATE TIMELINE FOR STAFF/DEPARTMENT ACTION:  
TIS submittal clarification should take 30 minutes to clarify in a work session. Implementation of a Traffic Impact Fee system will likely take 4-8 months to develop through work between Council and Staff.

COSTS OTHER THAN STAFF TIME, IF ANY: None unless staff requests consultant assistance for development of a Traffic Impact Fee system.

PRIORITY RELATIVE TO EXISTING INITIATIVES (SEE LIST AVAILABLE FROM CITY ADMINISTRATOR): High on TIS submittal clarification due to the undue economic burdens being placed on developers investing in our community. Moderate on Traffic Impact Fee development.

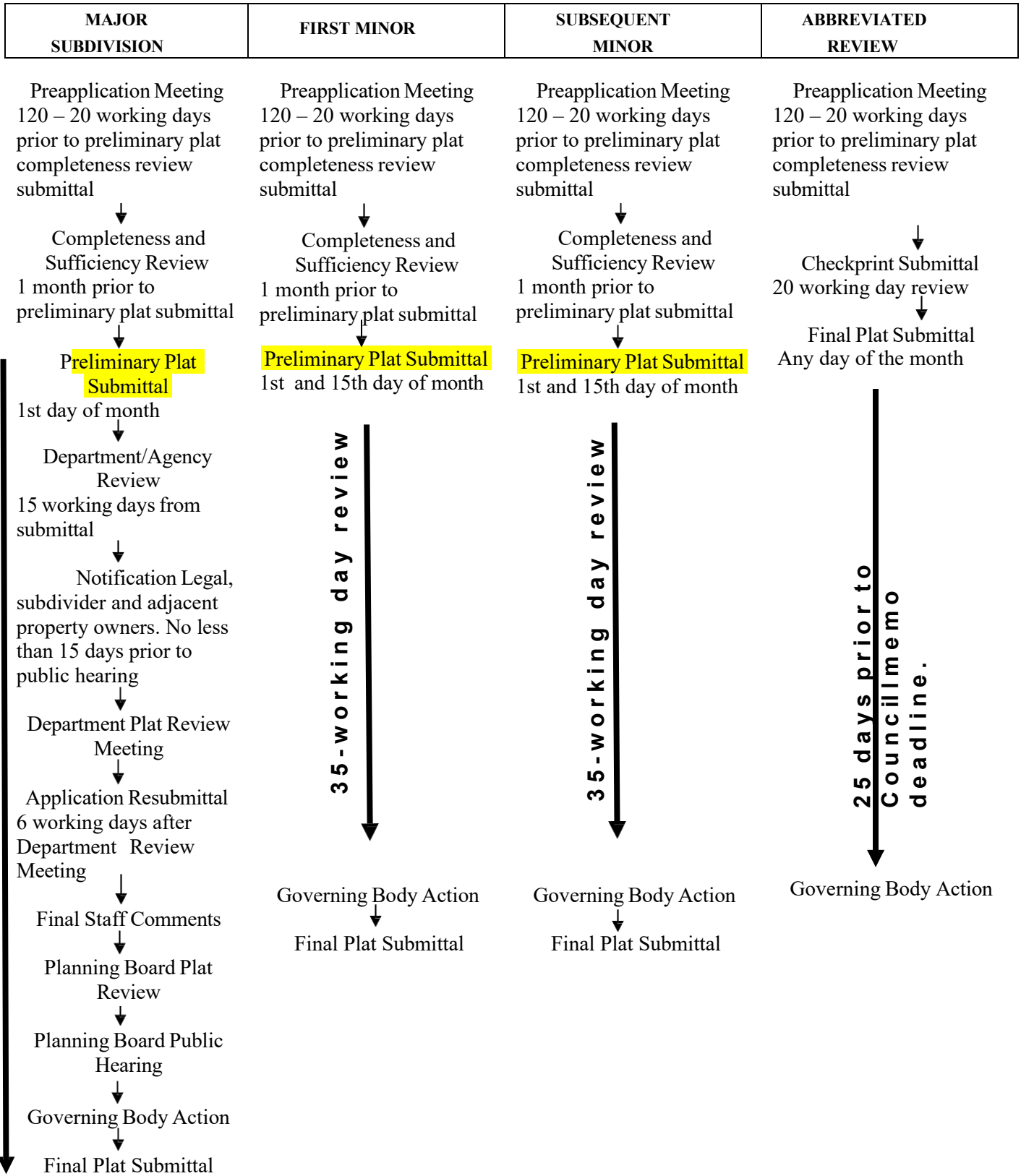
ADDITIONAL INFORMATION OR COMMENTS:

I have attached excerpts from our Subdivision Regulations for clarification on the TIS submittal timelines for your reference that are clear but need to be affirmed by Council.

As it relates to the development of an Impact Fee structure for traffic with subdivision, with also ties to police and fire impact fees that we discussed this year. As our community continues to grow, we continue it becomes increasingly important to get proper funding and impact structures in place to help build out the necessary infrastructure to support it. These things are the easy items to continue kicking down the road, but we only lose by continuing to push them off until we have time to get them done. Without them becoming a priority, we will not fix them, and we will continue to chase the problems with our transportation infrastructure without building a system to offset their costs. I'm more than flexible on time of implementation but do want it put formally on the plate with targets to get started in addressing them so we're not talking about this again next year at rate setting.

**Section 23-310.**

**Flowchart of Subdivision Procedures.**



## B. Streets and Roads Design and Improvement Standards:

1. General: The design and improvement standards contained in this section shall apply to all construction, reconstruction of streets and roads, public or private, dedicated to the public within the City limits.
2. Improvement Design: All street improvements shall be designed by and constructed under the supervision of a professional Civil Engineer, registered in the State of Montana, and shall meet or exceed the right-of-way and construction standards for the type of street to be constructed found within these regulations, the adopted Transportation Plan, and adopted policies of the City Public Works Department.
3. Plans and Specifications approval: Plans and specifications for all streets shall be provided to and approved by City Engineering. The subdivider shall provide professional engineering services for construction inspections, and post-construction certifications. The plans and specifications shall be approved by the City Engineer prior to initiation of any street improvement construction. In addition, a copy of the road plans and specifications for any emergency access roads shall be reviewed and approved by the City Fire Department prior to construction.
4. Traffic Impact Study: **At the time of preliminary plat submittal**, a traffic impact study shall be prepared and stamped by a Professional Engineer and approved by the City Engineer for any new residential, institutional, commercial or industrial subdivision or development which will generate one thousand (1,000) or more vehicle trips per day or 100 peak-hour trips, as referenced in the Trip Generation Report of the Institute of Transportation Engineers. The Professional Engineer shall certify "that the Traffic Impact Study has been prepared by me or under my immediate supervision and that I have experience and training in the field of traffic and transportation engineering." The report shall be stamped by a Professional Traffic Operations Engineer for five thousand (5,000) or more vehicle trips per day.

The traffic generation threshold shall apply to any development or cumulative phases of development.

A vehicular trip is defined as a one-way journey of a person in an automobile or a transit vehicle. If the study indicates a need for the installation of traffic signals, intersection improvements, or other off-site street improvements to facilitate traffic flow generated by the entire proposed development, the identified improvement shall be installed or a financial contribution for the subdivision's proportional share shall be made prior to final plat approval of the subdivision, as determined by City Engineering. The financial contribution for proportionate share shall be by cash contribution, traffic system development fee, or traffic impact fee, whichever is in effect at the time of final plat approval. The applicant shall meet and discuss elements of the study with City Engineering to determine the general extents of the study at the time of the pre-application meeting.