Attachment E - Adequate Public Facilities in Other Jurisdictions

During the October 21, 2021 Planning Board discussion, Commissioner Verma asked Planning Department staff to report back on how other jurisdictions in the region approach adequate public facilities for transportation. In this regard, Planning Department staff reached out to staff representing planning or transportation departments in the following four (4) local jurisdictions:

- District of Columbia – District of Columbia Department of Transportation;
- City of Alexandria, Virginia – Department of Transportation & Environmental Services;
- Fairfax County, Virginia – Fairfax County Department of Transportation; and
- Prince George's County, Maryland – Prince George's County Planning Department.

The following is a summarized below.

## District of Columbia

The District Department of Transportation's (DDOT) approach to transportation mitigation is summarized below:

- Must mitigate high parking ratio and intersection capacity impacts.
- Must propose roadway mitigation to demonstrate they could work, but DDOT reserves right to request something else.
- Signal timing/cycle length adjustments will not be implemented in conjunction with specific developments since signals are in coordinated networks. In addition, there is a recognition that traffic may not materialize as projected.

The hierarchy of transportation mitigation strategies, in order of DDOT preference, is as follows:

1. Establish optimal site design
2. Reduce vehicle parking
3. Implement more TDM
4. Upgrade ped/bike/transit facilities
5. Monetary contribution toward non-auto facilities
6. Roadway capacity changes (only if deemed necessary by DDOT)

Unlike Montgomery County, DDOT does not currently look at pedestrian level of comfort (PLOC) and bicycle level of traffic stress (LTS) as a part of development review. Instead, they require a "pedestrian network gap analysis" that identifies priority walking routes from the subject site to pedestrian generators[1] in the area and overlays existing pedestrian facilities. The gaps or substandard sections of

[1] Generators include public transit facilities, parks, schools, grocery stores, stadiums, activity centers and other amenities.

sidewalk identified in the gap analysis can then be targeted for mitigation if the development meets any mitigation triggers and provides parking capacity over DDOT recommend parking rates.

DDOT has made controlling parking supply a point of emphasis to reduce reliance on single occupancy vehicles. New development should provide no more than the amount of off-street parking specified in the table below. Mitigation is required for parking ratios exceeding the thresholds depicted in the table to account for induced demand for driving.

Table 1: DDOT's Preferred Max Parking Ratios

| Land Use | < ¼ mile of Metrorail | < ½ mile of Metrorail OR < ¼ mile of Priority Bus/Streetcar | <1.0 mile of Metrorail | >1.0 mile of Metrorail |
|---|---|---|---|---|
| Based on Mode Share Goal: | 85% Non-Auto | 80% Non-Auto | 75% Non-Auto | 65% Non-Auto |
| Residential | 0.25 or less spaces/unit<br>~1 per 4 units | 0.35 or less spaces/unit<br>~1 per 3 units | 0.40 or less spaces/unit<br>~1 per 2.5 units | 0.55 or less spaces/unit<br>~1 per 2 units |
| Office | 0.40 or less spaces/1k GSF<br>~1 per 6 employees | 0.50 or less spaces/1k GSF<br>~1 per 5 employees | 0.65 or less spaces/1k GSF<br>~1 per 4 employees | 0.85 or less spaces/1k GSF<br>~1 per 3 employees |
| Hotel | 0.35 or less spaces/1k GSF<br>~1 per 6 rooms | 0.45 or less spaces/1k GSF<br>~1 per 5 rooms | 0.60 or less spaces/1k GSF<br>~1 per 4 rooms | 0.75 or less spaces/1k GSF<br>~1 per 3 rooms |
| Retail | 1.00 or less spaces/1k GSF | 1.25 or less spaces/1k GSF | 1.60 or less spaces/1k GSF | 2.00 or less spaces/1k GSF |

DDOT's rationale for a focus on minimizing parking supply for new development is outlined below:

- **Accommodating growth** – DC projects a population increase of 187,000 by 2035. As the roadway system is built out and congested, growth must rely on non-auto options.
- **More density** – less parking allows for more density while generating minimal additional new personal vehicle trips, especially in Metro-accessible areas.
- **Reduce vehicle trips** –TDM, minimal parking, priced parking, and proximity to high quality transit all work together to reduce vehicle trips.
- **Reduce auto dependency** – parking is a permanent site feature that induces more driving and reinforces auto dependency.
- **Transit supportive** – little or no parking brings "transit-ready" residents/workforce.
- **Site design flexibility** – buildings can be moved around into more optimal locations, and site can provide more green space, trees, and bike racks.

- **Housing affordability** – not building parking saves money that can be passed on to future residents/tenants.
- **Mitigation and TIAs are also costly** – more money can be saved by not conducting TIAs or implementing physical mitigation if meeting DDOT parking & TDM requirements.
- **Vision Zero** – no on-site parking means no need for a driveway or curb cut, thus minimizing conflicts w/pedestrians.
- **Climate change** – less parking and driving means less exhaust and CO2 per capita.

DDOT's application of non-auto improvements as a mitigation strategy is summarized in the table below.

Table 2: DDOT Non-Auto Improvements as Mitigation

| | | TRAFFIC IMPACTS | | | |
|---|---|---|---|---|---|
| | | **No Impacts** (no intersections degrade to unacceptable levels) | **Minor Impacts at One Intersection** (signal timing or cycle length adjustments only) | **Minor Impacts at Multiple Intersections** (signal timing or cycle length adjustments only) | **Severe Impacts at One or More Intersections** (physical roadway improvements beyond signal timing adjustment) |
| **PARKING SUPPLY** (see Table 2 in CTR Guidelines) | **At or Below Benchmark** | Baseline TDM Plan | Baseline TDM Plan | Enhanced TDM Plan | Enhanced TDM Plan + Direct Mitigation OR Additional TDM OR Monetary Contribution OR Non-Auto Upgrades OR Performance Monitoring TBD |
| | **Up to 10% Over-Parked** | Baseline TDM Plan | Enhanced TDM Plan | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Direct Mitigation OR Additional TDM OR Monetary Contribution OR Non-Auto Upgrades OR Performance Monitoring TBD |
| | **Up to 20% Over-Parked** | Enhanced TDM Plan | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Direct Mitigation OR Additional TDM OR Monetary Contribution OR Non-Auto Upgrades OR Performance Monitoring TBD |
| | **Over 20% Over-Parked** | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Additional TDM OR Non-Auto Upgrades to be Negotiated | Enhanced TDM Plan + Direct Mitigation OR Additional TDM OR Monetary Contribution OR Non-Auto Upgrades OR Performance Monitoring TBD |

## City of Alexandria, Virginia

In Alexandria, mitigation is required with an appropriate improvement if the development results in unacceptable conditions. The city owns and maintains its own streets. As a result, the Virginia Department of Transportation (VDOT) has limited involvement in the identification of mitigation requirements. In this regard, the only time VDOT is involved is when the proposed development is proximate to an interchange or will knowingly create impacts to the interstate.

The city can only require mitigation measures if the development proves to result in unacceptable conditions. In such cases, mitigation requirements are bounded by the frontage of the site or the area immediately surrounding the site. Off-site improvements may only be requested if such improvements

are part of an established city-wide program or is associated with a project where the developer has the option to contribute funds rather than constructing the improvement.

As shown in the table below, the city employs a 50-peak hour *vehicle* trip threshold as a trigger to determine the need for a transportation study. In contrast, Montgomery County employs a 50-peak hour *person* trip threshold for this purpose.

Table 3: Transportation Study Thresholds

| Peak Hour Vehicle Trips | Documentation Required | Development Size Category |
|---|---|---|
| <50 | N/A | N/A |
| 50-99 | Multimodal Transportation Study | Small |
| 100-249 | Multimodal Transportation Study | Medium |
| >249 | Multimodal Transportation Study | Large |

The city's transportation study area guidelines by development category are summarized in the following table.

Table 4: Study Area Guidelines by Development Size Category

| Size | Vehicular Study Area | Transit, Bicycle, Pedestrian Study Area | Parking Study Area |
|---|---|---|---|
| Small | At a minimum, include all site driveways and intersections within 1000 feet radius **OR** one signalized intersection in each direction, whichever is greater. | Streets adjacent to site | Streets curbs adjacent to and across from site, limited to the lesser distance of 1 block or 300 feet. |
| Medium | At a minimum, include all site driveways and intersections within one-quarter mile radius **OR** three signalized intersections in each direction, whichever is greater. | Area within one-quarter mile walkshed of the site | Two block radius **OR** 1,000 feet radius, whichever is less. |
| Large<br><br>Development Special Use Permit Project Studies | At a minimum, include all site driveways, internal intersections, and intersections within a one-half mile radius **OR** four signalized intersections in each direction, whichever is greater. | | |
| Large<br><br>Coordinated Development | Include all major gateways into the site and major intersections within a one-half mile radius **OR** four signalized intersections | | |

| | | | |
|---|---|---|---|
| District & Small Area Plan Studies | in each direction, whichever is greater. Study intersections are to be determined at the scoping meeting and may/may not include internal intersections, depending on context. | | |

## Fairfax County, Virginia

Virginia is a state that largely utilizes the proffer system[2] rather than impact fees. In summary, the county can only ask for mitigation from a developer if there is "proportional nexus" (or in other terms "equitable") to what the developer is required to build on the site. As an example, if a developer is building a 3-house subdivision, the County cannot expect proffers for a new off-ramp. In fact, for residential properties, the County Board of Supervisors cannot accept proffers that do not pass this nexus test based on the latest legislation, even if such proffers are offered by the developer. To assess nexus, the County performs an analysis that could be an assessment of traffic via ITE rates/synchro software, or an assessment of what TDM trip reductions would be expected based on the characteristics of the development and surrounding development/transit options, etc.

In the context of development review, the Virginia Department of Transportation (VDOT) is a partner agency to the Fairfax County Department of Transportation (FCDOT). VDOT reviews applications and provides feedback elements of transportation studies that will impact their state-maintained roadway system. If the development is large enough (over 5000 trips daily) by statute, a Chapter 870 Traffic Impact Analysis is expected. This is a more intense traffic operational analysis relative to a typical transportation study. VDOT will provide a letter indicating if they are satisfied with a development's mitigation and technical analysis. However, it is up to the County Board of Supervisors to decide on

[2] A proffer or proffered condition is a voluntary commitment from a landowner or developer to reduce or eliminate the impact of new development on neighboring properties and the county. In the case of residential development, applicants may assist localities by proffering cash or land towards public facilities and infrastructure needed to serve the new development, such as schools and roads.

Once proffers are accepted, they become a part of the zoning regulations applicable to the property unless subsequently changed by a zoning concept plan amendment application or by a new zoning map amendment. A guarantee may be required by the Zoning Administrator for the construction, installation, provision or performance of any public improvements, site improvements, facilities or obligations required by proffers.

what mitigations will be proffered and which will not. Generally, VDOT and the County stay in alignment. FCDOT has been exploring the use of other metrics to assess transit, ped/bike, environmental, equity, and other transportation specific impacts from a development as well.

Given that proffers entail negotiation, a benefit cited pertaining to the proffer system is that it tends to be more flexible when land uses are non-standard, new, or have unique characteristics. A financial benefit cited is that proffers require a complete improvement, like a traffic signal, rather than paying a pro rata share from an impact-fee calculation.

Fairfax County applies traffic impact analysis regulations and guidelines provided by VDOT. This may include the application of a mixed-use trip generation model as an alternative for conducting trip generation studies associated with traffic impact statements for small area plans and for mixed use development located in urban areas.

Fairfax County does not levy a countywide transportation impact tax. However, the county has established transportation service districts in Tysons and Reston which new development contributes (based on the amount of development) to fund area-serving transportation infrastructure. There are other districts that utilize "road funds" where the County has identified larger "regional improvements" that a developer could proffer a contribution. Along I-66, such districts are located in the Fairfax Center and Centreville areas.

### Prince George's County, Maryland

Regarding mitigation pertaining to pedestrian and bicycle projects in Prince George's County, for applicable sites that are subject to Section 24-124.01 (c)[3] of the County Code, a cost cap is established.

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[3] *Sec. 24-124.01. - Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors.*

*...*

*(c) As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or biking distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available public rights of way. The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents ($0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars ($300.00) per unit of residential development proposed in the application, indexed for inflation.*

With this guidance in mind, staff and the applicant collaborate to identify required off-site projects. Proportionality is maintained by establishing the cost cap. If the cost of the projects does not exceed the cap it is considered proportional. Nexus is maintained by including a finding in the staff report / Planning Board resolution that the proposed facilities would be used by future residents and/or employees of a development project.

*The Prince George's County Transportation Review Guidelines, Part 2* guides the determination of findings related to Council Bill CB-002-2012. This legislation requires a finding of adequate pedestrian and bikeway facilities in the general plan centers and corridors. The relevant language excerpted from page 16 of this document is provided below:

> **"Documentation of the Demonstrated Nexus.** The Transportation Planning Section staff will complete the discussion regarding the demonstrated nexus between the site and the related off-site improvement(s). In order to require an off-site connection, the Planning Board must find that there is a direct correlation between the subject subdivision and the recommended off-site improvement per Section 24-124.01 (c). This nexus will be summarized in the memorandum from the Trails Planner of the Transportation Planning Section, utilized as background information as necessary, and included in the technical staff report and resolution of approval as a finding. Examples where a demonstrated nexus may be found include a connection to a public school, park, shopping center, or transit line. The discussion on the nexus should include how the off-site improvements will directly benefit the future residents and/or employees of the subject development. A finding will be included in the resolution of approval that summarizes the nexus between the subject site and the off-site improvement."