

Aiken City Council Minutes

August 3, 2004

WORKSESSIONTraffic Committee

Council Present: Mayor Cavanaugh, Councilmembers Clyburn, Cunning, Price, Smith, Sprawls, and Vaughters

Traffic Committee Present: Thaddeus Barber, Jim Price, Dick Dewar, Dorothy Ridley, Alan Wood, Steve Kisner, and John Pavelglio.

Others Present: Roger LeDuc, Gary Smith, Ed Evans, Bill Huggins, Sara Ridout, Philip Lord of the Aiken Standard, and about 7 citizens.

Mayor Cavanaugh called the meeting to order at 6:30 P.M and welcomed those present and thanked the citizens committee for being willing to work with Council to try to come to some consensus for a proposed Traffic Ordinance. He thanked the Planning Commission for their efforts and work in preparing the proposed ordinance for Council.

TRAFFIC IMPACT ORDINANCETraffic Ordinance

Mr. LeDuc pointed out that Joan Bondor, Councilwoman Vaughters' appointee, was not able to come to the meeting, so she was replaced by Alan Wood. He said Council would especially like to hear from the citizen appointees to the committee.

Mr. LeDuc stated that, in the summer of 2001, City Council asked staff to develop a traffic ordinance. Their goal was to develop criteria that would help them determine how new developments would affect current and future traffic patterns. A traffic ordinance was developed, and Council then asked staff to evaluate how traffic impact fees could pay for anticipated transportation improvements. This was presented to Council in the spring of 2003. At that meeting, traffic impact fees were put on hold. Instead, Council hoped to use the future one cent sales tax to pay for these roadway improvements. The ordinance was sent back to the Planning Commission for further review, and, at the May, 2004 Planning Commission meeting, they approved a proposed traffic ordinance. On June 29, 2004, City Council held a public meeting, which was attended by several hundred interested citizens and businesses. There was a lot of discussion at that meeting and some of the major concerns that were expressed at that meeting included:

1. At what traffic threshold should a traffic study be considered?
2. Should the traffic study consider the time period for which the project is being completed or five to ten years beyond build out?
3. Should the traffic ordinance review other intersections or limit the review to the development only?
4. Should funding for needed improvements be set aside for a limited number of years from the time of improvement?

He said the goal of this meeting was to try to get the consensus of those present as to what changes could be agreed on or not agreed on.

He asked that the committee first consider: At what traffic threshold should a traffic study be considered? He pointed out this varies from community to community and there is no magic number. He pointed out originally the ordinance listed 100 trips per day. The proposed ordinance presently states 1,000 trips per day for a LOS "D". He said the need for a traffic study could be dependent on the roadway Level of Service (LOS) and the number of trips generated by the development.

He suggested a traffic study be required as follows:

For LOS 'A' -- no traffic study needed
For LOS 'B' 3,000 trips per day
For LOS 'C' 2,000 trips per day
For LOS 'D' 1,000 trips per day

The committee members discussed this at length. There was concern by the developers as to how to arrive at the trips per day to determine if a traffic study is needed. Mr. Price and the other developers were concerned as to whether the trips per day were new trips, or if the trips included the vehicles already on the road. Their question was whether new businesses would be held responsible for existing problems from existing traffic. After much discussion the general consensus was that the threshold start at 1,000 trips per day for a LOS 'D' roadway, 2,000 trips per day for LOS 'C', 3,000 trips per day for LOS 'B' and no traffic study needed for LOS 'A'. Mr. LeDuc pointed out that the city's traffic engineer could update the LOS road map every two years. However, if a major change occurred in an area the update would occur immediately.

Councilman Cunning pointed out one of his concerns was the major problems on Whiskey Road, and that a great percentage of Whiskey Road is outside the city. He was concerned that developments might not annex and be controlled by the city's traffic and other ordinances.

The next issue addressed was whether the traffic study should consider the time period for the project being completed or five to ten years beyond build out. The traffic study could review the current traffic conditions and those projected at build out. This would eliminate the need to evaluate traffic volumes at five and ten years beyond the build out. Mr. LeDuc pointed out currently the ordinance requires the study to look 5 to 10 years beyond build out. It was the consensus of those present that the study should consider traffic conditions at build out only.

Mr. LeDuc then asked the group to consider whether the traffic ordinance study should review other intersections or limit the review to the development only. The current ordinance recommends studying the major intersections, one-quarter to one-half mile beyond the development. He suggested the committee may want to consider reviewing the intersections associated with the development. This would limit the area of study to the development and the associated roadways surrounding these projects.

Councilman Smith stated he felt the study should not just study the piece of property as the traffic is on the entire road and one has to look at the other intersections at least one-quarter mile and in some instances one-half mile beyond the development.

Mr. Barber stated with a wider study area the city would end up mitigating the same area multiple times with various projects. He said this would also cause extensive mitigating issues. He pointed out the intersection of Pine Log and Whiskey is a real issue. He said he felt the proposed ordinance would cause a developer to pay money for something that can't be fixed. He pointed out the developer can only control traffic impacts within his own development and not on land over which he has no control such as property a quarter of a mile or a half mile down the road. He said he could not create a solution to problems a half mile down the road. He pointed out that not just one developer causes the problems and the problems are created over a long period of time by everyone with past and future developments. He stated he did not feel that it was the responsibility of the new developer to pay for improvements to fix problems that have been there for a number of years.

The committee members continued to discuss the issue of the traffic study area. Councilman Cunning again pointed out that some of the developments may be outside the city, and he was concerned how that would work, especially along Whiskey Road. He said he did feel that the study area had to be farther than just the development, but he did not understand how trying to solve some of the problems a half mile down the road would work.

Mr. Jim Price stated that in areas near Atlanta they have to do studies for developments over a certain square footage. He said when the development is over a certain threshold

the developer has to study the interchanges a quarter to a half mile from the project. They don't put up money, but identify potential problems that could be there down the road. He felt the one cent sales tax money should be paying for road improvements. He said the traffic problem was not necessarily the developer's problem but everyone who is using the road. He felt all the people should be helping to pay for the interchange improvements.

The committee members then discussed the problem of where monies would come from to make road improvements such as traffic signals and turn lanes. It was pointed out that the one cent sales tax would be a good source for road improvements, but if that does not pass then other sources need to be considered. The developers stated they felt the city should look for other sources for road improvements other than holding the developer responsible for improvements down the road. It was stated perhaps there could be a vehicle fee or road fee like Aiken County has for all citizens similar to the present water impact fee with the fee on each vehicle.

Ms. Dorothy Ridley pointed out that if a developer wishes to develop along Whiskey Road where he feels his business may be more successful and where there are already traffic problems, he should expect to pay more for development but he will get more for his investment. He could develop in an area where there is less traffic and the property is cheaper.

Mr. LeDuc asked that the Committee consider what study area should be considered at this time, not who will pay for improvements.

The general consensus of the members was that the traffic study should study the major intersections, one-quarter to one-half mile beyond the development as currently proposed in the ordinance.

Mr. LeDuc stated the next item for consideration is should funding for needed improvements be set aside for a limited number of years from the time of improvement. He said currently the traffic ordinance requires the developer to set aside funds to pay for specific mitigation projects. It further states, that if these projects are not built within a 5-year period, the funds can be used for other transportation related construction. He said the Committee may want to consider that if the improvement is not built within a specified number of years then the funding would be returned to the developer. Mr. LeDuc then used some examples for the Committee to consider whether the developer should be responsible for the improvements. He used examples of improvements directly in front of a development, for improvements at an intersection one-half mile down the road, and where a road is currently at 99% of the threshold and the proposed development puts the traffic over the threshold level.

After much discussion the Committee agreed that if the development causes the problem and there needs to be an improvement at the development itself, the developer needs to pay for the improvement.

The Committee then discussed that perhaps the developer could pay a proportionate amount for the improvements when the proposed development causes the traffic to go over the threshold. The developers felt that it would not be fair for the developer to pay the full amount for the improvements when their development did not cause all the problems. Mr. LeDuc stated if a proportionate amount is to be paid, then at what level would fees be charged.

Mr. Kisner stated he had a problem with a fee for improvements any distance from his project, but if a fee is imposed he felt any impact incurred down the road from his project it should be proportionate to the increase in traffic and not the full amount for the improvements.

After discussion the consensus of the Committee was that any improvements required by the traffic study within one-quarter to one-half mile to the nearest intersection of a proposed development be on a proportional basis according to how much traffic from the new development contributes to the problem.

Mr. Kisner stated he felt that some fee is going to have to be assessed for vehicles and to supplement the one cent sales tax to help fund improvements. He did not feel it was fair to require new developments to fix all the traffic problems. He felt they needed to pay their share, but could not fund all the improvements.

Mr. LeDuc asked if there were any comments on other portions of the proposed ordinance other than those already discussed at this meeting.

Councilwoman Clyburn asked that the staff provide the Committee with information from other cities in South Carolina that have a traffic ordinance.

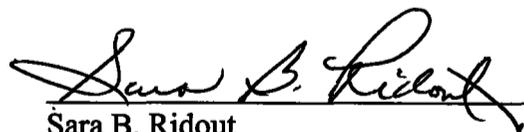
Councilman Cunning then expressed the feeling that he did not feel that Aiken was getting its fair share of state funds for road improvements in Aiken.

Mr. Steve Kisner stated a concern of his was that he did not want the city to make it too difficult for continued growth in Aiken which is an important source of income and generation of funds. He stated he did not feel that the city would generate near the money needed from the developer and business person from development fees. He said he was for the Traffic Ordinance, but just wanted to be very careful that we did not hurt growth and developers.

Mr. Jim Price stated that as far as impact fees from new traffic the only area that he had encountered fees was in Delaware. He said his business had done many developments from Delaware to Alabama. He said, however, he does do traffic studies on every project. He said he had mandates for decel lanes, turn lanes, and signalization within his development. He said the developer has to make sure there is safe ingress and egress from the development. He said his concern was the thresholds and the LOS requiring a study. He said he had no real problems in studying the area outside the boundary lines of the project where the city knows where potential problems may be. He said, however, for the city to mandate that the developer pay for the improvement because his was the last development is wrong. He pointed out a development will be providing jobs and increasing the tax base. He felt the city should be very careful with what they adopt and not make the ordinance too restrictive. He said the city needs quality growth, not rapid growth.

The general consensus of the Committee was that the proposed changes be made to the ordinance and sent to the Committee members for review. The Committee would meet again on Tuesday, September 7, 2004, at 6:30 P.M.

The meeting adjourned at 8:08 P.M.


Sara B. Ridout
City Clerk