

Aiken City Council Minutes

September 7, 2004

WORKSESSIONTraffic Committee

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

Traffic Committee Present: Tad Barber, Jim Price, Dick DeWar, Dorothy Ridley, Alan Wood, Steve Kisner, and John Pavelgio.

Others Present: Roger LeDuc, Gary Smith, Ed Evans, Roger Dyar, Bill Huggins, Sara Ridout, Keith Coones, and David Ridley.

Mayor Cavanaugh called the meeting to order at 6:34 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 stated he felt the committee had accomplished a lot at the last work session. He said the purpose of this meeting was to review the changes suggested last time and to discuss any further changes that might need to be made.

TRAFFIC IMPACT ORDINANCETraffic Ordinance

Mr. LeDuc stated Roger Dyar, the city's traffic consultant, was present to answer any questions the committee may have.

Mr. LeDuc stated that at the last meeting the Committee was able to achieve consensus on four major items:

1. the threshold at which a traffic study should be considered—for a Level of Service (LOS) A no study; LOS B – 3,000 trips per day; LOS C – 2,000 trips per day; LOS D – 1,000 trips per day.
2. that the traffic study should consider the time period from the present to full build-out;
3. that the traffic study would analyze the area up to one-half mile from the development; and
4. that the developer would pay for their pro-rata share of the improvements, up to 1/2 mile from the site (based on the increase in traffic) and would pay for all of the improvements located at the site.

He said, based on these changes, the staff had developed a new draft Management Ordinance with deletions stricken out and new wording shown in bold and underlined. The Committee also asked for other traffic management ordinances in South Carolina, and copies of ordinances from Greenville, Spartanburg, Beaufort County, Mt. Pleasant, and Hilton Head were provided to the Committee.

Mr. LeDuc stated the goal of this meeting is for the advisory group to review the draft ordinance and make any other changes. Any changes would be incorporated into a draft ordinance that would be sent to City Council for action this fall.

Mr. LeDuc stated he felt the best way to review the proposed ordinance is section by section, with comments by Committee members as the section is reviewed.

Mayor Cavanaugh pointed out that another city's ordinance had a chart giving a step by step process of the ordinance. He said he felt this would be good for Aiken's ordinance once the process has been defined.

Mr. Steve Kisner stated he did not understand that there was a consensus on number 4 regarding the pro-rate share of improvements up to 1/2 mile from the site. He stated his point was that if the city is going to consider going out 1/2 mile from the development that the improvements should be on a pro-rata basis and not full cost of the improvements. He said he did not mean to imply that he agreed that the study should go out 1/2 mile from the development.

Mr. LeDuc stated he understood the group to say that they wanted the traffic study to be up to 1/2 mile from the site just to get the information as to the impact the development would have on traffic in the area, and the developer would pay for all of the improvements located at the site and anything away from the development would be on a pro-rata basis.

The committee members continued to discuss at length the matter of a study up to 1/2 mile from a development and a pro-rata share of improvements in that 1/2 mile area. The concerns were what percentage would the pro-rata share be for the developer and for the city and where would the city get its pro-rata cost of the improvements.

Mr. LeDuc pointed out the proposed ordinance states 1/3rd of the cost of the improvements would be paid by the developer and 2/3rd would be paid by someone else. He stated the ordinance did not address who would pay the 2/3rd cost.

Mayor Cavanaugh stated how the 2/3rd cost would be obtained had to be determined. He stated the committee had discussed a possible vehicle fee like the County presently charges for road maintenance. ARTS is another source, the 1 cent sales tax another source.

Councilman Smith stated a proposed impact fee had been taken out of the proposed ordinance, but he felt that an impact fee would be the best way to obtain funds for improvements. He said with an impact fee there is no last person, and every developer from this time forward pays his fair share of what needs to be done.

The committee then discussed the fact that an impact fee had to be set aside to be used for that specific purpose. It was pointed out that traffic improvements are very costly and it would be some time before there would be enough money to make road improvements.

Mr. LeDuc stated most of the proposed improvements would probably not be in the millions of dollars but in the hundreds of thousands of dollars and would include traffic signals and turn lanes.

Mr. LeDuc stated funding for improvements is an issue that will not be solved at this meeting. He said he felt there were some benefits in having a traffic study 1/2 mile from developments that meet a certain threshold, as it would give some valuable information. He stated he felt we need more interconnecting roadways, rather than new roadways. He said the proposed pro-rata share of traffic improvements was not to pay for brand new roadways, but to pay for improvements on existing roads.

Mr. LeDuc suggested that the committee review each page of the proposed ordinance and review any questions and make any comments. In the first sentence "to try to maintain" was changed to "to maintain". In Sec. 11-3 2) c) words were added to say "shall add 1,000 or more net new trips per day."

Mr. Tad Barber expressed concern about requiring a traffic study for annexations. He pointed out the study has to be for the highest use of the property, which may not be the way it is developed. He was concerned that developments may choose not to annex with the traffic study requirement and develop the area outside the city. He felt the city would want to encourage all developments to annex to the city, as this allows the city to have greater control over the development and increases the city's tax base.

Councilman Cuning pointed out that in Sec. 11-4 g) he thought a PUD would be annexed on the concept plan presented not necessarily the most intense development. It

was suggested that the wording be changed to be "based on the concept plan", not on the most intense development.

Councilman Smith suggested that "and shall approve the study only upon assurance of a Level of Service D or better" to be added to the end of Sec. 11-5. 2).

Mr. LeDuc then reviewed the last sentence of Sec. 11-5.3). He stated the intent of the sentence is that if a necessary traffic improvement is not adjacent to the project all the developer would be paying for is their pro-rata share of the increased traffic volume which could be 5%, 10%, etc.

Councilwoman Clyburn stated she felt the committee should consider the impact of the ordinance on other areas of the city not just Whiskey Road.

The Committee members continued to discuss the proposed ordinance at length. It was pointed out that there are interconnecting road projects which are currently planned that will reduce traffic on some heavily traveled roads such as Whiskey Road, and this will allow future development with less impact on that road.


Mr. LeDuc pointed out the present draft wording regarding necessary roadway improvements within 1/2 mile of the development says the developer will pay for what additional traffic they are adding to the intersection, areas or segments of roadways beyond the development, and they will pay their share based on the amount of traffic that they are adding to the roadway. He said the developer will pay 1/3 of the cost of the improvements and Council needs to consider where the other 2/3 cost will come from. It was stated this wording will remain unless someone has better wording.

Mr. LeDuc stated under Sec. 11-5.4) it is stated that if the city does not spend the payment for traffic improvements within two years, the city shall return the funds to the developer. Mr. LeDuc pointed out that in most cases it takes a couple of years to obtain property and plan improvements. He stated he would like to see that time changed to five years. It was the general consensus of the group that two years was not long enough, and five years would be a more reasonable time to accomplish any improvements. It was also pointed out that the wording should say that the payment must be used specifically for the intended mitigation.

The group then discussed further the portion of 11.5.4) regarding if physical conditions do not allow for the construction of all or a portion of the projects. They discussed why the city would collect payment if the improvements are physically impossible. After discussion the committee asked that this section be clarified regarding physical conditions that do not allow the construction of the improvements.

Mr. LeDuc stated he would rework the ordinance again making changes from the comments made by the committee at this meeting. The committee members asked that after the ordinance is reworked that a copy be sent to them for review before it is considered by Council. Mr. LeDuc stated depending on the feedback on the revised ordinance the ordinance may go directly to Council for consideration, or if there are some questions from the committee a work session could be held before the Council meeting to clarify any questions. He said the proposed ordinance would probably be considered by Council at the October 11, 2004, meeting.

The meeting adjourned at 8:29 P.M.


Sara B. Ridout
City Clerk