

ORDER NO. _____

**ORDER AMENDING THE CURRENT LEE COUNTY SUBDIVISION AND DEVELOPMENT REGULATIONS BY ADDING
A REQUIREMENT FOR TRAFFIC IMPACT ANALYSIS FOR DEVELOPMENTS
IN LEE COUNTY**

BE IT REMEMBERED, that the Commissioners Court of Lee County, Texas (the "Commissioners Court"), met in Regular Session on the 12th day of July, 2021, after notice of meeting had been posted in the form, manner, and place required by law, and after a properly noticed and published PUBLIC HEARING with a quorum of its members present and participating in the meeting when, among other matters, the following came on to be considered and action taken thereon, to-wit: **REQUIREMENT FOR TRAFFIC IMPACT ANALYSIS FOR DEVELOPMENTS IN LEE COUNTY.**

Article VII of Lee County's Subdivision and Development Regulations is amended to add the following as Section 7.11

**REQUIREMENT FOR TRAFFIC IMPACT ANALYSIS FOR DEVELOPMENTS
IN LEE COUNTY
ARTICLE VII.
SECTION 7.11**

The purpose of the Traffic Impact Analysis (TIA) is to identify the relationship between land use and transportation systems and infrastructure in Lee County. The TIA is intended to ensure adequate review and consideration of potential impacts of proposed development on the surrounding highway, thoroughfare and county road system. When required, the owner shall submit, at the owner's expense, a TIA that assesses the traffic impacts associated with a proposed development.

The TIA will be valid for a period of up to five years, from the date sealed by the preparing engineer.

TIA Required: **IF THE COMMISSIONER IN WHOSE PRECINCT THE SUBDIVISION/DEVELOPMENT IS LOCATED REQUIRES A TIA FOR A PROJECT, THE TIA SHALL BE SUBMITTED AS PART OF THE PRELIMINARY PLAT SUBDIVISION PROCESS AS SET OUT IN ARTICLE V OF THESE RULES.** A TIA is required to assess the transportation aspects of a proposed development that has the potential of generating new vehicular trips. TIAs are also required when new developments and re-developments change the travel patterns in and adjacent to the development site. A traffic impact analysis will be required for developments that generate traffic volumes in excess of 1,000 vehicles per day ("vpd"). A traffic impact analysis may be required for developments which generate less than 1,000 vpd depending on the type of access proposed, single versus multiple, or if the County believes that existing boundary streets or roads which are affected by the subdivision or development will require improvements as a result of the intended development.

Required TIA Contents:

1. Be signed and sealed by a Texas licensed professional engineer with demonstrated experience in traffic engineering.
2. Provide information on the projected traffic generated by a proposed development.

3. Assess the effects of the proposed development on the surrounding transportation system and recommend measures and/or improvements to mitigate adverse effects on traffic operations and road infrastructure caused by said development.
4. Identify operational, geometric, and safety impacts, then recommend actions to address these concerns.
5. Include, but not be limited to, capacity analysis, safety and geometric analysis, and conceptual plans or designs to support recommended mitigations.

TIA Format—The structure of the TIA study will vary depending on the different sizes and types of development land uses. However, Lee County recommends that a TIA study follow the general format below. The study can also provide appendices for collected data sets that include (but not limited to) directional traffic counts, peak hour turning movement counts, trip generation data sheets, and capacity analyses/simulation printouts.

1. **Introduction:** Includes but not limited to descriptions of the proposed site development, associated land use, and access points. Also defines the adjacent roadway network and nearby developments, study area boundaries, data sources, and design standards.
2. **Analysis/Background Traffic:** Describes the operational analyses used to determine the existing and future traffic conditions. Plus sets background and horizon years for each phase and final site build out. Provides the background traffic analyses (no-build scenarios) for existing and future conditions.
3. **Trip Generation:** Determines the trip rates and analyses. Should also consider trip reductions for pass by trips.
4. **Trip Distribution and Assignment:** Describes the distribution methodology and determines directional distribution percentages for trip assignment (Build scenarios).
5. **Capacity Analysis:** Describes the capacity and LOS (Level of Service) analyses for the site access points, adjacent roadway network and affected intersections within the study area; expressed in terms of LOS and delay results for existing and forecasted conditions (with and without site development).
6. **Existing Operating Conditions** This section must contain a detailed overview of the available transportation infrastructure surrounding the proposed development site, as well as identify existing issues and concerns. This section shall include the following components when applicable. 1) Detailed description of the transportation system with figures outlining traffic controls, intersection lane configuration with dimensions, speed limits, parking restrictions, directional signs, pedestrian signage, surrounding land uses, driveways, distance of driveways to adjacent intersections, railway crossings and any other information that may affect the intersection performance during the selected analyses periods. Data collected through site visits should be presented and described. It is advisable to include photos outlining particular issues (e.g., closely spaced driveways, non-standard intersections, etc.). Functional classification of existing and future roadways should be presented in this section. 2) Traffic volumes are to be presented both graphically in the form of maps and in Excel spreadsheet form. Daily traffic volumes are to be presented in this section when relevant. Daily traffic volumes can be obtained from actual counts or estimated using proper expansion factors if appropriate and accepted. Traffic volume maps must be provided in this section (not in an appendix). 3) Short-term changes in the surrounding area, unrelated to the site are to be documented in this section and reflected in the

analyses. The consultant is expected to do due diligence in their review of system changes. If the scheduled date of the change falls within the timeframe of the study of the application, changes must be reflected in the study.

7. Recommendations: Describes proposed mitigation measures that need to improve traffic conditions to either LOS-D (as used in uniform traffic studies) or the level of service from the background (no-build) conditions. Improvements must be identified and recommended that mitigate the site's impact on the transportation network. Identified improvements must be described and include an explanation discussing why the improvement was recommended. The identified improvement, cost estimate and a pro-rata contribution must be provided in tabular format.

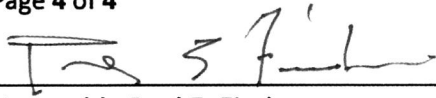
TIA Submittal Complete: To be considered a complete submittal, the items identified in this Section must be provided. Reports will not be reviewed until a complete submittal is received. The Applicant is tasked to provide all necessary and required information at the time of the submittal. If a report does not include an item required by the approved scope, the author shall identify this omission in the transmittal letter/memo with an explanation of why an item was omitted. Failure to include this identification will cause the report to be considered incomplete. Incomplete submittals will not be reviewed and may be retrieved if desired by the Applicant. Subsequent submittals addressing comments are considered stand-alone submittals and must include all information including but not limited to complete report with all appendices, Excel Spreadsheets, Synchro files etc. Partial submittals are not accepted.

Project Mitigation/Repair Obligation: The Developer of the proposed Subdivision/Development agrees to restore existing roadways and roadway systems to the same condition as such existed prior to construction of improvements in the proposed Subdivision. During development, Developer shall maintain all roads used to develop the proposed Subdivision, and upon completion of the development shall leave them in as good a condition as when first used. During construction of the Improvements, Owner agrees to use commercially reasonable efforts to minimize the disruption to County roads caused by the construction process and to repair any damage caused to County roads by Developer or its agents during the construction period. The Developer shall 1) perform maintenance work to County roads and other facilities affected by construction performed for the Development; (2) repair any damage to County roads and other facilities resulting from work performed for the Development; and (3) provide security (either cash, bond, or letter of credit in an amount as set by County) to ensure that any County roads and other facilities that are damaged as a result of the Development are promptly repaired and, if necessary, reconstructed. The bond shall insure that any County roads and other facilities damaged by Principal as a result of work performed are promptly repaired, and if necessary, reconstructed.

The County will not approve improvements in the proposed Subdivision and the financial guarantee posted by the Developer of the proposed Subdivision will not be released until the Developer satisfies this requirement.

The County will not approve a subdivision or development project unless the county is satisfied that there is adequate roadway infra-structure in place or County and Developer agree on the necessary infrastructure improvements and any cost-sharing or responsibility for said improvements.

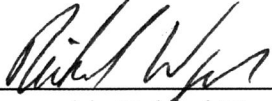
APPROVED AND ADOPTED in open court this 12th day of JULY, A.D., 2021.



Honorable Paul E. Fischer
County Judge, Lee County, Texas

Absent

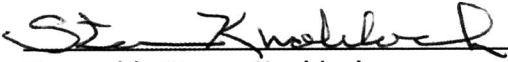
Honorable Mark Matthijetz
Commissioner, Precinct 1



Honorable Richard Wagner
Commissioner, Precinct 2



Honorable Alan Turner
Commissioner, Precinct 3



Honorable Steven Knobloch
Commissioner, Precinct 4