

ORDINANCE NO. 20/2010

AN ORDINANCE OF THE TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, AMENDING CHAPTER XXVII, ENTITLED "SUBDIVISION AND LAND DEVELOPMENT" OF THE TOWNSHIP OF TILDEN CODE OF ORDINANCES TO AMEND SECTION 402 ENTITLED "PRELIMINARY PLANS" OF PART 4, ENTITLED "PLAN REQUIREMENTS" TO ADD A NEW SECTION REQUIRING TRAFFIC IMPACT STUDIES

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Tilden, Berks County, Pennsylvania, and it is hereby ENACTED AND ORDAINED by the authority of the same as follows:

SECTION 1. Section 402 entitled "Preliminary Plans" of Part 4, entitled "Plan Requirements", of Chapter XXVII, entitled "Subdivision and Land Development", of the Code of Ordinances of the Township of Tilden is hereby amended by adding thereto the following new Section:

"(g) Traffic Impact Study.

(1) Intent. To allow the Township to determine the safety and congestion impacts, and related costs, of proposed major traffic generating uses. To require that applicants respond with reasonable proposals to resolve the negative traffic impacts that their proposed uses will cause on the public. To recognize that sufficient Federal, State and municipal funds are not available to resolve traffic problems caused by private development.

(2) For any development proposing new access to a state highway and/or modifying an existing access to a state highway, the Pennsylvania Department of Transportation document "Policies and Procedures for Transportation Impact Studies Related to Highway Occupancy Permits", dated January 28, 2009, or new version(s), should take precedent over this Section. This document can be found on-line at

<ftp://ftp.dot.state.pa.us/public/BUREAUS/BOMO/MC/FinalTISGUIDELINES.pdf>.

These procedures include coordination with the Township throughout the process and ensures consistency in reporting.

(3) Uses Requiring a Traffic Impact Study. Any application for any of the following uses shall be required to complete a traffic study and include the findings in a written report:

- (i) Residential. Sixty (60) or more dwelling units.
  - (ii) Commercial. Twenty thousand (20,000) square feet or more of total floor area.
  - (iii) Office. Thirty thousand (30,000) square feet or more of total floor area.
  - (iv) Industrial. Sixty thousand (60,000) square feet or more of total floor area or any truck terminal.
  - (v) Institutional. Thirty thousand (30,000) square feet or more of total floor area.
  - (vi) Any use or combination of uses that would generally result in greater than six hundred (600) trips per day.
  - (vii) Where the Township Engineer certifies that there is a clear existing severe traffic problem within close proximity to the proposed project which will likely be significantly worsened by the proposed project.
- (4) Timing. Any required traffic impact study shall be submitted at the same time or earlier as any preliminary plan, special exception, conditional use or construction permit application, whichever is submitted earliest.
- (5) Costs. The full costs of completing the study and of a review by the Township Engineer or other Township representative shall be born by the applicant.
- (6) The traffic impact study shall be prepared and signed by a professional traffic engineer with verified experience in preparing such studies and submitted as follows:
- (i) Joint Studies. Joint traffic studies between different applicants are strongly encouraged.
  - (ii) The Traffic Impact Study shall be prepared by a qualified professional traffic engineer with verified experience in preparing such studies.
  - (iii) The study area boundary and identification of the roadways included within the study area should be agreed upon between the applicant(s) and the Township and documented in the report.

(iv) A general site description, including:

(a) Size and location of existing and proposed land uses and dwelling types.

(b) Construction staging, and completion date of the proposed development.

(c) Existing land uses, approved and recorded subdivision and land developments and subdivisions and land developments proposed but not yet approved and recorded in the study area that are determined by the Township Board of Supervisors as having bearing on the development's likely impact.

(d) Within the study area, the applicant must describe existing roadways and intersections (geometries and traffic signal control) as well as improvements contemplated by government agencies or private parties.

(v) Analysis of existing conditions, including:

(a) Daily and Peak Hour(s) Traffic Volumes. Schematic diagrams depicting daily and peak hour(s) traffic volumes shall be presented for roadways within the study area. Turning movement and mainline volumes shall be presented for the three peak hour conditions (AM, PM and site generated) while only mainline volumes are required to reflect daily traffic volumes. The source and/or method of computation for all traffic volumes shall be included.

(b) Volume/Capacity Analyses at Critical Points Utilizing techniques described in derivative Highway Capacity Manual, latest edition or derivative nomographs, an assessment of the relative balance between roadway volumes and capacity are to be described. The analysis shall be performed for existing conditions (roadway geometry and traffic signal control) for the appropriate peak hours.

(c) Level of Service at Critical Points. Based on the results obtained in the previous section, levels of service (A through F) shall be computed and presented for all movements. Included in this section shall also be a description of typical operating conditions at each level of service.

(d) A tabulation of accident locations during the most recent three-year period shall be provided.

(vi) Analysis of future conditions without the proposed development. The future year(s) for which projections are made will be specified by the Township and will be dependent on the timing of the proposed development. The following information shall be included:

(a) Daily and Peak Hour(s) Traffic Volumes. This section shall clearly indicate the method and assumptions used to forecast future traffic volumes. The schematic diagrams depicting future traffic volumes shall be similar to those described in Section (g)(5)(v)(a) in terms of location and times (daily and peak hours).

(b) Volume/Capacity Analyses at Critical Locations. The ability of the existing roadway system to accommodate future traffic (without site development) shall be described in this section. If roadway improvements or modifications are committed for implementation the volume/capacity analysis shall be presented for these conditions.

In the case of existing signalized intersections, Traffic signal timing shall be optimized to determine the best possible levels of service that can be obtained utilizing existing roadway geometry and traffic signal equipment.

(c) Levels of Service at Critical Points. Based on the results obtained in the previous section, levels of service (1 through 5) shall be determined.

(vii) Trip Generation. The amount of traffic generated by the development shall be presented in this section for daily and the three peak hour conditions. The trip generation rates used in this phase of the analysis shall be justified and documented to the satisfaction of the Township Board of Supervisors. Trip Generation (latest edition) published by the Institute of Transportation Engineers shall be used unless the Township Board of Supervisors approves other studies.

(viii) Trip Distribution. The direction of approach for site generated traffic shall be presented in this section for the appropriate time periods. As with all technical analysis steps, the basic method and assumptions used in this work shall be clearly stated in order that the Township can replicate these results.

(ix) Traffic Assignment. This section shall describe the utilization of study area roadways by site generated traffic. The proposed traffic volumes shall then be combined with anticipated traffic volumes from Section (g)(5)(vi) to describe mainline and turning movement volumes for future conditions with the site developed as the applicant proposes.

(x) Analysis of Future Conditions with Development. This section shall describe the adequacy of the roadway system to accommodate future traffic with development of the site.

Any unique characteristics of the site or within the study are (e.g., weekend tourists, antique sales, or holiday shopping) affecting traffic shall be considered. If staging of the proposed development is anticipated, analysis for each stage of completion shall be made.

The following information shall be included:

(a) Daily and Peak Hour(s) Traffic Volumes, Mainline and turning movement volumes shall be presented for the highway network in the study area as well as driveways and internal circulation roadways for the appropriate time periods.

(b) Volume/Capacity Analysis at Critical Points. Similar to Sections (g)(5)(v)(b) and (g)(5)(vi)(b), a volume/capacity analysis shall be performed for the appropriate peak hours for future conditions with the site developed as proposed.

(c) Levels of Service at Critical Points. As a result of the volume/capacity analysis, the level of service on the study area roadway system shall be computed and described in this section for all movements.

(xi) Recommended Improvements. In the event that the analysis indicates a decrease in the level of service for any movements will occur on study area roadways, a description of proposed improvements to remedy deficiencies shall be included in this section. These proposals would not include committed projects by the Township and State which were described in Section (g)(5)(iv)(c) and reflected in the analysis contained in Sections (g)(5)(v) and (g)(5)(vi).

The following information shall be included:

(a) Proposed Recommended Improvements. This section shall describe the location, nature and extent of proposed improvements to assure sufficient roadway capacity. Accompanying this list of improvements shall be preliminary cost estimates.

(b) Volume/Capacity Analysis at Critical Points. An iteration of the volume/capacity analysis shall be described which demonstrates the anticipated results of making these improvements.

(c) Levels of Service at Critical Points. As a result of the revised volume/capacity analysis presented in the previous Sub-Section, levels of service for the highway system with improvements shall be presented.

(xii) Conclusion. The last section of the report shall be a clear, concise description of the study findings.

(6) Applicant's Response. The applicant shall respond to the traffic impact study with proposals on what traffic improvements, right-of-way dedications or commitments of financing for specific projects the applicant proposes to commit to resolve the negative traffic impacts of the proposed development. Such improvements or financing may be staged in relation to the stages of the development. Upon request by the Township, the applicant shall respond to the Township's comments on the traffic impact study.

SECTION 2. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 3. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 4. This Ordinance shall become effective in accordance with the law.

SECTION 5. The Code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall become a part of the code of Ordinances of the Township of Tilden, Berks County, Pennsylvania, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 10<sup>th</sup> day of April, 2010.

TOWNSHIP OF TILDEN  
BOARD OF SUPERVISORS

Russell H. Wark

Judy E. Romig

David L. Schappell

Attest.

Cheyl A. Haus  
Secretary

## MUNICIPAL CERTIFICATION

I, CHERYL A. HAUS, Secretary of the TOWNSHIP OF TILDEN, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance 201, 2010 was advertised in the Reading Eagle/Times, a daily newspaper of general circulation in Tilden Township, on 3/15/10 + 3/22/10, and was duly enacted and approved as set forth at a Regular Meeting of the Board of Supervisors held on April 10, 2010.

(SEAL)

Cheryl A. Haus  
Secretary

Date: April 10, 2010