

## **GUIDELINES FOR PERIMETER STREET IMPROVEMENT REQUIREMENTS**

### **Executive Summary:**

These are guidelines for perimeter street improvement requirements for proposed developments under the new Roadway Impact Fee Ordinance. These guidelines are intended to be general in nature, and in the event that these guidelines conflict with provisions of the Roadway Impact Fee Ordinance No. 2016-189 (the “Ordinance”) or the Denton Development Code (“DDC”), the provisions in the DDC and Ordinance will prevail over these guidelines.

### **Proposed Guidelines:**

The Roadway Impact Fee Ordinance No. 2016-189 became effective on July 5, 2016. The Ordinance authorizes staff to use its discretion either (1) to collect the roadway impact fee amount,<sup>1</sup> or (2) to require perimeter street improvements for a development consistent with Subchapter 20 of the Denton Development Code.<sup>2</sup>

Below, for discussion and approval, are staff’s proposed guidelines to better define when perimeter street improvements will be required, with the cost of those improvements credited against the assessed road impact fee for the development.<sup>3</sup> Credits will only be provided up to the amount of the assessed fee.<sup>4</sup> The guidelines are as follows:

#### **1. Level of Service:**

For any proposed development that would generate enough traffic to reduce the Level of Service below LOS D<sup>5</sup> on an affected street, the development will be required to construct street capacity enhancements proportionate to the development’s impact. The Denton Development Code currently has a requirement for developments that generate 1,000 vehicle trips per day or 100 trips in a peak hour to submit a traffic study. Developments with this requirement will be required to evaluate the Level of Service for all affected streets to determine the development’s impact. If a development does not generate enough traffic to require a traffic study, then the existing traffic counts plus estimated trips from the current Trip Generation Manual will be used to determine the LOS impact.

#### **2. Safety:**

- a. For any proposed development that is adjacent to an affected perimeter street where the pavement width is less than 22 feet in width, the development will be required to widen the street to at least 25 feet in width (with a 2 in. minimum Type C asphaltic concrete overlay for asphalt pavements and without an overlay for concrete pavements) with appropriate transitions to the existing pavement; or

<sup>1</sup> Some smaller developments are exempt from roadway impact fees. The exemption in Sec. 12.B of the roadway impact fee ordinance states, “[a] change in use that generates less than 10 times the number of Service Units attributable to the immediately preceding use is exempt from the payment of Impact Fees.” These developments will also be exempt from these perimeter street paving guidelines.

<sup>2</sup> If the development has 100 feet or less of frontage on the perimeter street, the development will not be required to improve the street. See DDC Sec. 35.20.2.L.4.

<sup>3</sup> The fee is assessed and “locked in” at the time of the final plat recordation. The fee will not change unless there is an increase in service units. The fee is collected at the time the building permit is pulled.

<sup>4</sup> Credits are given for facilities identified in the roadway impact fee Capital Improvements Plan, and for facilities (streets classified as a collector or above) that qualify to be included in the Mobility Plan, even if not currently depicted on the Mobility Plan map, where the City has entered into a Credit Agreement.

<sup>5</sup> If the LOS is already below a D, the development must improve the LOS to a level D.

- b. If the adjacent affected perimeter street has a pavement width that is less than 22 feet wide and has an Overall Condition Index (OCI) of below 40, and the street is not scheduled to be reconstructed by the City's current Capital Improvements Program, then the development will be required to reconstruct the entire 25-ft width of the perimeter street to current City standards, which includes curb and gutter, in the ultimate location with appropriate transitions to the existing pavement. If the development is located adjacent to an affected perimeter street that would, in the City Engineer's opinion and discretion, be sufficient with reconstruction of a 24-ft width with no curb and gutter, then the development may be allowed to pursue this alternative standard.



### 3. Adjacent Curb and Gutter Improvements:

For any proposed development that has an affected perimeter street which is improved to City standards with curb and gutter across from the development, the development is required to construct the perimeter street improvements according to Subchapter 20 of the Denton Development Code by adding curb and gutter improvements and a maximum of 25-ft. width of additional pavement.

Example: Hercules Lane below is an example of adjacent and across improved streets.



The City reserves the right to participate in the costs of improving the remainder of a perimeter street, if applicable, within its discretion, in accordance with the law, and in the event that adequate funding exists for such contribution.