File #: BL2022-1384, **Version:** 2

An ordinance amending Section 12.12.190 of the Metropolitan Code of Laws relative to traffic calming projects.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 12.12.190 of the Metropolitan Code of Laws is hereby amended by deleting the section in its entirety and replacing it with the following:

12.12.190 - Traffic Calming Program

A. The Nashville Department of Transportation and Multimodal Infrastructure (NDOT) shall maintain a program for traffic calming that allows neighborhood organizations to submit applications to identify, prioritize, and help mitigate the undesirable effects of traffic in residential neighborhoods. This program shall focus on traffic calming projects to improve street safety for all users. NDOT shall work with other departments including the planning department and the police department.

B. NDOT shall select areas for traffic calming projects based on applications submitted pursuant to the traffic calming program at least once per year. Applications shall be evaluated by NDOT using criteria established by NDOT. NDOT shall maintain a record of all neighborhood organization applications for the traffic calming projects program and the neighborhoods selected for traffic calming projects. NDOT shall ensure that, over any two-year period, it selects a project application from every council district where a qualifying traffic calming program project application meeting NDOT criteria for the traffic calming program has been submitted has been selected for a traffic calming project through the program.

C. When a neighborhood is able to secure private funding for a traffic calming project on a public road, NDOT may authorize private construction of such a traffic calming project provided that:

   1. The neighborhood organization secures private funding for the proposed traffic calming project. NDOT will not match funding at any level. 100% of project funding, to included engineering studies, design, permitting and construction/installation, will be the responsibility of the private entity. Installation must conform to NDOT standard details and minimum specifications along with the criteria laid out in this section. The neighborhood has previously submitted a qualifying traffic calming program application and the related project was not selected for the program;

   2. No road that would be subject to the proposed traffic calming project is designated as an arterial street or collector street on the major and collector street plan;

   23. The neighborhood must notify NDOT of its intent to install a traffic calming project in writing. This letter of intent must include contact information, the street(s) in question and limits of installation. The proposed traffic calming project would promote safety and quality of life;

   3.   Upon receiving the letter of intent, NDOT engineers will conduct initial checks to ensure:

     a. <u>The street(s) in question fall under the jurisdiction of Metro Nashville.</u>

     b. <u>The street(s) is classified as "local" under the Nashville major and collector street plan.</u>

     c. <u>The street(s) is not designated as an arterial street or collector street on the Nashville major and collector street plan.</u>

     c. <u>Installing the traffic calming infrastructure on the street(s) will not negatively affect parallel streets by creating conditions for increased traffic volumes and speeds.</u>

     d. <u>If the street is determined to be ineligible, NDOT will provide written notification of the determination and its reasons.</u>

4. ~~The proposed traffic calming project meets required design standards approved by NDOT; and~~

4. <u>Provided that the above conditions are met, the applicant will be required to produce the following documents prior to permitting:</u>

     a. <u>A traffic study confirming an 85% percentile speed of at least 5 MPH over the posted speed limit.</u>

     b. <u>A location map that clearly shows the neighborhood and street(s) proposed for traf.</u>

     c. <u>A design plan set stamped by a registered engineer conforming to NDOT traffic calming infrastructure requirements.</u>

     d. <u>A preliminary support petition containing at least 10 signatures from homeowners that live on the affected street that support installation of the traffic calming infrastructure. The petition includes a final signature block for the Council Member to sign in support of traffic infrastructure. Applicant must use NDOT's petition template.</u>

     e. <u>A list of all names and addresses of affected homeowners and evidence that all affected homeowners have been contacted and provided copies of the traffic calming design plans.</u>

     f. <u>A list of materials, specifications, manufacturer, manufacturer recommendations for installation and their respective quantities. Materials must meet NDOT's minimum specifications and/or be included on NDOT's approved products list.</u>

5. <u>Upon approval of all required documentation, NDOT will administer a six-week online ballot process. A successful neighborhood street ballot requires 66% of responding homeowners on the affected street voting "yes" on the final traffic calming infrastructure design.</u>

6. <u>Once documents have been approved by NDOT engineers and the ballot process is successful the applicant may apply for a right-of-way permit to install the traffic calming infrastructure.</u>

7. <u>NDOT will assume maintenance and replacement responsibilities once the traffic calming infrastructure have passed inspection.</u>

5. ~~A petition signed by at least 50% of the property owners on the affected road supporting the proposed traffic calming project has been submitted to NDOT.~~

D. At least once per year, NDOT shall submit a report to the metropolitan council of the applications received for the traffic calming program, the ranking of each application, and the metrics used to determine the ranking of the applications.

Section 2. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance, as substituted and amended, codifies the existing traffic calming program maintained by the Nashville Department of Transportation and Multimodal Infrastructure ("NDOT") and creates additional requirements.

NDOT currently maintains a traffic calming program that allows neighborhood organizations to submit applications to identify streets where traffic calming projects may be appropriate. NDOT staff reviews applications, gathers data, and prioritizes where traffic calming projects would be appropriate.

The ordinance under consideration codifies this existing program. In addition, the ordinance requires that, over any two-year period, NDOT must select a project every Council district where a traffic calming program application has been submitted. In addition, the ordinance provides that NDOT may authorize private construction of a traffic calming projects provided that:

- Private funding for the traffic calming project has been secured;
- A letter of intent is sent to NDOT;
- The street where the traffic calming project is proposed is under Metro's jurisdiction, is a local street, is not an arterial or collector street, as designated by the major and collector street plan, and the infrastructure will not negatively impact parallel streets;
- The applicant produces a traffic study, a local map, a design plan, a preliminary support petition, the applicant contacts affected homeowners, and certain information related to the installment of the infrastructure is submitted to NDOT.

After this information is provided, NDOT will conduct an online ballot process, requiring at least 66% of responding homeowners on the affected street to vote in favor of the project. After the installment of the traffic calming project, NDOT will assume maintenance and replacement responsibilities one the infrastructure passes inspection.

This ordinance also requires an annual report from NDOT to the Council regarding the traffic calming project applications received.