

## TRAFFIC CALMING PROGRAM STANDARD PROCEDURE 111

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ADOPTED BY: Russ Overton, Deputy Town Manager

### PURPOSE

To outline the process by which Cary will address citizen concerns regarding traffic speeds on local streets. This process is designed to use verified data and community support to install effective traffic calming measures that align with Cary's values as outlined within the MOVE chapter of the Cary Community Plan.

### APPLICABILITY

The process outlined in this Standard Procedure is for the consideration and implementation of traffic calming measures for **public** streets with speed limits of **25mph or less** and that are classified as Local Streets. For speed concerns on roads classified as "Collector Streets" on the Planned Roadway Widths Map in the Cary Community Plan, refer to the *Collector Streets* section below.

### PROCEDURE

Traffic Calming Program Projects ("TCP Projects") are authorized by Policy Statement 124 and consist of the following six (6) phases:

1. **Request Process**
2. **Compatibility of Location**
3. **Determination of Need**
4. **Community Acceptance / Collection of Funds**
5. **Town Council Appropriation of Funds**
6. **Construction and Maintenance**

1. Request Process

A request for a TCP Project begins with the online submittal of a Traffic Calming application through Cary's website. Alternatively, a request can be submitted through 311.

Property owners, renters, and concerned citizens can submit TCP Project applications. Upon receipt of a complete application, Cary will contact the applicant and identify a Community Representative(s) for the TCP Project. Ideally, the Community Representative(s) will be the Board of a Homeowner's Association ("HOA") or a small group of residents located in close proximity to the street(s) of concern. Cary will then work with the Community Representative(s) to establish the exact location(s) of concern for purposes of data collection noted in the *Determination of Need* below.

Applications for traffic calming will be reviewed by Cary's Traffic Calming Safety Committee, which is a multi-disciplinary group of Cary staff that includes those with expertise in traffic operations, in addition to representation from public safety and other staff members whose input is needed. Additionally, Cary will assign a Project Manager to the TCP Project who will sit on the Traffic Calming Safety Committee. These Project Managers are typically chosen from staff with experience in traffic calming, traffic data collection, engineering design, and construction.

2. Compatibility of Location

The Project Manager, with the assistance of the Traffic Calming Safety Committee, will review the location(s) identified in the application to a) confirm the street is a public Local Street with a speed limit of 25mph or less and b) determine whether the installation of traffic calming measures will be functionally effective. Cary may deny an application if factors exist that cause Cary to determine that traffic calming measures will not be functionally effective. Such factors include, but are not limited to, a street not being public, a street being too short or of a certain orientation that makes the installation of traffic calming measures impractical (such as a cul-de-sac), a street already having traffic calming measures installed, there already being a plan to install traffic calming devices on the street, or a determination that the installation of traffic calming measures on the street will negatively affect Police or Fire Department emergency response times.

If Cary determines that traffic calming measures are compatible with the proposed location in the application, the application will move on to the *Determination of Need* step.

3. Determination of Need

Cary will collect traffic data for the location, including traffic volume counts, speed data, and a historical crash analysis. Volume and speed data will be collected using industry accepted methods for obtaining accurate data over a minimum of a three-day period, under normal traffic conditions, during weekdays. Cary will take this data and produce a Traffic Calming Report that will contain the following information:

1. Background of the street(s) in the analysis;
2. Description of the data collection process and illustration of the results;
3. Explanation of the current level of impact of speeding; and
4. Determination of need.

Cary staff will review traffic count data, the current conditions of the street, levels of access and connectivity, posted speed limit, etc. and use this information to determine whether Cary staff will allocate funding from the Traffic Calming Program to the applicant's request. If Cary staff indicates that it will not support a request, said staff will review the decision with the applicant and discuss alternatives, if available.

Based on the results of the Traffic Calming Report, the applicants will be notified concerning the amount of Town funding Cary staff intends to recommend be allocated to the project if the applicant elects to proceed. Table A below shows the proposed funding recommendations, which are based on the collected speed data. As detailed later in this standard procedure, if an applicant desires to move forward with a project that requires the applicant to provide funding, Town Council action is required to accept the applicant's share of funding.

Table A

<b>85th percentile speeds above posted speed limit</b>	<b>Town of Cary Share</b>	<b>Applicant Share</b>
9 miles per hour or less	75%	25%
Greater than 9 miles per hour	100%	0%

\* If Cary staff identify a pattern of crashes that can be attributed to driver behavior that staff deem correctable through the use of traffic calming devices, Cary will cover 100% of the cost\*

4. Community Acceptance / Collection of Funds

Once the Traffic Calming Report is completed, the Project Manager will work with the Community Representative(s) to determine the **Direct Influence Area** ("Direct Area") and the **Extended Influence Area** ("Extended Area"). The purpose of the Direct Area is to determine who would be directly impacted by installation of any traffic calming device and, therefore, who will vote for the proposed project design. While residents within the Direct Area will vote on the proposed project, Cary recognizes that the installation of traffic calming devices in a location may also have less-direct

impacts to property owners/residents who live in proximity to the streets being considered. The purpose of the Extended Area is to determine who those residents might be and to offer them the opportunity to have a voice in the type, placement, arrangement, and overall need for the project.

The **Direct Area** may include but will not be limited to:

- All properties abutting the impacted street;
- All properties on adjacent street(s) whose only point of egress is through the impacted street;
- All properties on adjacent street(s) who have alternate points of egress but are determined by Cary staff to be within a reasonable distance of the intersecting impacted street; and
- Direct input from the Community Representative(s) as to which properties would need representation based on local knowledge of travel patterns within the community.

The **Extended Area** may include but will not be limited to:

- Properties on adjacent street(s) who were not included in the Direct Area;
- Properties otherwise located in nearby areas that could be impacted by the proposed traffic calming measures;
- Citizens who travel on the impacted street or utilize public facilities adjacent to the impacted street.

The Project Manager will work with the Community Representative(s) to begin the review of potential traffic calming device types and the locations of those devices. When the Project Manager and the Community Representative(s) have agreed on a concept plan and the extent of the Direct Area, the Project Manager will post the design(s) and a map of the Direct Area to the Traffic Calming Program project webpage, found on the Town of Cary website.

The webpage may consist of the following items:

- The number, location, and dimensions of each device proposed;
- A list of Frequently Asked Questions with answers related to impacts of traffic calming devices such as noise, aesthetics, emissions, emergency response times, snow removal, signs, and home values;
- A statement of the fees associated with the project and available collection methods,
- A sample project schedule for the construction of the devices;
- The methods used to notify residents of the Influence Area via post cards, sandwich-board signs, or electronic media as deemed appropriate by Cary staff; and
- A map of the Direct Area.

Once the website is complete, the Project Manager will develop a mailing list of those properties in the Direct Area and provide a direct mailing to those properties, informing the property owners/residents of the TCP Project and that their input is requested. A portion of the Extended Area may be included in the direct mailing, at the discretion of the Project Manager. There will be a minimum two (2) week review period once the mailings have been sent prior to closing the comment period and the process proceeding.

Cary will only move forward with a TCP Project if a certain percentage of residents within the Direct Area approve the TCP Project. The required approval can be obtained by one of two methods, following the two-week review period:

1. A letter from the Homeowner's Association (HOA) Board of Directors that governs the properties within the Direct Area that certifies the members of the HOA voted to approve the TCP Project and the share of project funding (if any).
  - a. This vote must be done pursuant to the procedures set out in the applicable HOA covenants and meeting minutes of the meeting where the vote occurred must be provided to the Project Manager. If the Direct Area is large enough to encompass

properties governed by multiple HOAs, each HOA must hold vote and provide letters and minutes to Cary.

- b. If the plan for the TCP Project requires the applicant to contribute a share of the project funding, the HOA must provide the required funds for the community share to the Project Manager with the letter. Funds must be payable to the Town of Cary and may be collected at the discretion of the Community Representative(s).
2. The submittal of a petition for the TCP Project, indicated by a “yes” vote and supporting signature by at least 70% of all property owners/residents within the Direct Area. The Project Manager will provide the necessary materials to collect the signatures.
- a. Should an applicant choose to submit a petition, Cary will host a public meeting open to property owners/residents of the Direct and Extended areas prior to the applicant circulating the petition. If an applicant knows that he/she/they intend(s) to submit a petition at the beginning of the application process, the information regarding the community meeting may be included in the initial notice information communicated to the property owners/residents of the Direct and Extended Areas as outlined above.

The public meeting for the petition process will include information related to the documents and information found on the TCP Project webpage. This meeting will be scheduled within 6 weeks of the mailing of the initial notice to property owners/residents of the Direct Area. The format for the meeting shall be determined by the Project Manager and the Community Representative(s).

- b. At the conclusion of the public meeting, a survey will be conducted to gather information helpful to complete the design process. This survey can either be performed at the meeting using paper surveys or may be conducted by Cary through online methods. If the survey is done via online methods, property owners/residents shall be given a minimum of two (2) weeks to complete it before the process proceeds.
- c. When the survey is complete and received by Cary:
  - i. The final design, project schedule, and cost estimate will be completed by the Project Manager, posted to the TCP Project webpage, and shared with the Community Representative(s).
  - ii. The applicant will be provided with materials to conduct the petition’s signature process. The applicant will have six (6) months to collect the required signatures. Cary staff may extend this deadline at its discretion. **All signatures must be recorded on the submitted petition forms provided by Cary staff.**

A signature alone does not indicate a “Yes” vote for the devices and associated plan. Signers shall indicate support or opposition in the appropriate field when signing. Once a signature is placed on a petition list, it is considered final and will not be removed. Only one valid signature per property is required on the petition. Valid signatures include those from:

- a) A property owner or spouse;
- b) An adult head of household;
- c) A tenant, if the property owner transfers their signature rights to the tenant through provided written documentation.

- d. If the plan for the TCP Project requires the applicant to contribute a share of the project funding, the Community Representative(s) must collect the required funds for the community share during the six (6) month signature collection period. Funds must be payable to the Town of Cary and may be collected at the discretion of the Community Representative(s).

Once all funds have been submitted and the TCP Project has been approved as described in this section, the Project Manager will make a final review of all submitted materials to verify proper completion and will then prepare a staff report to be presented to Town Council, if necessary.

#### 5. Town Council Appropriation of Funds

The Traffic Calming Program is funded, in part, through the annual budget process. For TCP Projects that require additional funding and/or an applicant to share in the funding, the Cary Town Council must take action to appropriate those funds. This action normally takes place at a regularly scheduled meeting of the Town Council, during which Cary staff will bring the TCP Project appropriation request before Council for its review. The applicant should plan for the Community Representative(s) to be present at this meeting to answer any questions Council may have. Should Council appropriate the necessary funds, the TCP Project may proceed. Should Council decline to appropriate the funds, Cary will take no further action on the application and will return any applicant funds collected.

#### 6. Construction and Maintenance

Once a TCP Project has been approved by staff (if no appropriation of funds is necessary), or once Town Council has appropriated necessary funds for a TCP Project, the Project Manager shall take the actions necessary to commence the construction process. The Project Manager is responsible for all aspects of the construction of the TCP Project.

The Project Manager will provide monthly updates to the Community Representative(s) during the construction period. To the extent possible, any road closures or significant impacts to the travel of residents within the Direct Area will be coordinated with the Community Representative(s) in advance of the impact.

Cary staff will perform an after study within 12 months of the closeout date of the project to analyze data that will indicate the overall effectiveness of the traffic calming devices. New applications for modification of or addition to the constructed traffic calming devices will not be considered prior to completion of the after study.

### **COLLECTOR STREETS**

Collector streets are streets designed to be used by a large number of travelers, not just those who may live or work nearby. As such, any measures to address excessive speed or safety concerns on collector streets may impact a very large number of users and are often outside the scope of this standard procedure. However, Cary will investigate traffic calming requests on collector streets and encourages citizens to use the Request Process in this procedure to communicate their concern to Cary staff. In Cary's sole discretion, traffic data may be collected and, if Cary determines there is a need for traffic calming based on that data or other information, then Cary will identify the appropriate countermeasures and will fund 100% of the costs associated with traffic calming devices on collector streets, as funding is made available.

Cary recognizes that community engagement regarding any such project is essential during the planning stage and Cary will endeavor to garner support for any proposed project through aspects of this standard procedure including public meetings, direct mailings, and surveys, as determined by Cary staff.

## **OTHER CONSIDERATIONS**

Should an applicant wish to modify or remove traffic calming devices installed through a previous TCP Project, they shall apply for said modification or removal in the same manner as an application for the installation of new traffic calming measures as outlined in this standard procedure. Such an application will not be considered by Cary if it is submitted within one year of the completion of the TCP Project that resulted in the construction of the existing devices.