WEST PENN TOWNSHIP
COUNTY OF SCHUYLKILL AND THE COMMONWEALTH OF PENNSYLVANIA
ORDINANCE NO.: 6

AN ORDINANCE OF THE TOWNSHIP OF WEST PENN AMENDING THE WEST PENN TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REGARDING TRANSPORTATION IMPACT STUDIES

WHEREAS, the Board of Supervisors of the Township of West Penn has duly adopted and does maintain a Subdivision and Land Development Ordinance within the said Township of West Penn; and

WHEREAS, Section 505 of the Pennsylvania Municipalities Planning Code authorizes municipalities to amend their subdivision and land development ordinances; and

WHEREAS, after consideration of comments from the Schuylkill County Planning Commission, the West Penn Planning Commission, and after a public hearing duly conducted thereon, pursuant to the terms and provisions of the Pennsylvania Municipalities Planning Code, as amended, and the Township of West Penn Subdivision and Land Development Ordinance (SALDO).

NOW BE IT ORDAINED, that the Board of Supervisors of the Township of West Penn does hereby adopt the following:

Section 1: Transportation Impact Studies

The following shall be added as Section 202 of the SALDO:

A. Definitions. As used in this Section, the following terms shall be defined as follows:

1. Auto Salvaging. The dismantling or disassembling of motor vehicles or recreational vehicles to salvage parts therefrom, provided no vehicle or part shall be stored on the premises for more than six (6) months.
2. Commercial Slaughter House. A princ1pal use which involves the purchasing and butchering of animals for commercial purposes. This definition does not include custom butcher shops which are licensed by the State.
3. Dump. A site used primarily for the disposal by abandonment. dumping, burial burning or other means and for whatever purpose of garbage, trash, junk, vehicles or parts thereof, or waste material of any kind.
4. Hospital. A building used for the diagnosis, treatment or other care of human ailments. Unless otherwise specified, "hospital" shall be deemed to include a sanitarium, sanitarium, clinic, medical center or other equivalent use, but shall not include medical offices or urgent care facilities.

5. Hotel (Motel). A building or group of buildings which contains six (6) or more rental units for overnight lodging of travelers or for the temporary occupancy of transients, licensed under applicable laws.

6. Junk Yards (salvage yards). Any land or structure where junk or salvage is discarded, bought, sold, exchanged, stored, bailed, cleaned, packed, disassembled, or handled. "Junk Yards" does not include those structures where used furniture or household equipment is stored, bought, or sold, nor those structures or land where automobiles not abandoned are stored, bought, or sold.

7. Mineral Extraction. The extraction of minerals from the earth, from waste or stockpiles or from pits or banks by activities conducted upon the surface of the land which requires the removal of the overburden, strata or material overlying, above or between, the minerals, or by otherwise exposing and retrieving the minerals from the surface. These activities include, but are not limited to, strip, drift, auger and open pit mining, dredging, quarrying, leaching, mountaintop removal, box cutting and activities related thereto. Mining activities carried out beneath the surface by means of shafts, tunnels or other underground mine openings are not included in this definition. The term "minerals" includes, but is not limited to, anthracite and bituminous coal, lignite, limestone and dolomite, sand, gravel, rock, stone, earth, slag, ore, vermiculite, clay and other mineral resources. The terms "mineral extraction" and "surface mining" shall have the same meaning.

8. Motor Freight Truck Terminal. The building plus contiguous space to which freight is brought for transfer, assembly and sorting for shipment by motor truck.

9. Sanitary Landfill. An area where garbage, trash, or junk is disposed of by burial in conformance with State regulations, but shall not include the disposal of hazardous materials or radioactive materials.

10. Water extraction. The removal of an average over any thirty (30) day period of more than one hundred (100) gallons per day from a lot for off-site human consumption or the removal of an average over any thirty (30) day period of more than one thousand (1,000) gallons per day from a lot for any non-human, off-site commercial purpose.

B. Transportation Impact Studies The following shall be added as Section 1020 of the Subdivision and Land Development Ordinance:

A Transportation Impact Study (TIS) shall be required under any of the following conditions:

1. Whenever any proposed project will generate one hundred (100) new vehicle trips in the peak direction (inbound or outbound) during the site peak traffic hour.

2. Any land development proposal for any of the following uses:

   A. Assembly and Packaging Establishments

B. Bottling Industry

C. Chemical Products Industry

D. Dump

E. Hospital

F. Hotel/Motel

G. Junk Yard/Salvage Yard

H. Mineral Extraction and Processing

I. Mobile Home Parks

J. Motor Freight Terminal

K. Paper/Pulp Mill

L. Plastic/Rubber Products Industry

M. Sanitary Landfill

N. Slaughter House (Commercial)

O. Warehousing

P. Water Extraction

Q. Any industrial and manufacturing uses not specified in this section.

3. In addition, a TIS shall be prepared whenever either one of the following conditions exist within the impact study area:

A. Current traffic problems exist in the local area, such as a high accident location, confusing intersection, or a congested intersection which directly affects access to the development.

B. The ability of the existing roadway system to handle increased traffic or the feasibility of improving the roadway system to handle increased traffic is limited.

4. At the discretion of the Board of Supervisors and the Township Engineer, West Penn Township reserves the right to require a TIS for any proposed commercial land development project.

Based on the TIS, certain improvements may be identified to provide safe and efficient access to the development. The applicant shall utilize the transportation data and criteria that are specified within the "Trip Generation Manual" (latest edition), published by the Institute of Transportation Engineers (ITE) in preparing the TIS.

C. Area of TIS. The TIS area shall be based on the characteristics of the surrounding area. The intersections to be included in the study shall be adjacent to the site or have direct impact upon the access to the site. The intersections shall be mutually agreed upon by the municipalities in which the proposed project is located and the traffic engineer

preparing the study. The County Planning Commission shall be called upon to resolve any disputes between the municipality and the traffic engineer.

At a minimum, all intersections within 1,000 feet of each access point to the site must be included in the TIS as well as any impacted Township Roadways between the proposed site access points and the nearest State Route.

D. Preparation by Transportation Engineer Required. Transportation impact studies shall be prepared under the supervision of qualified and experienced professional engineers with specific training in traffic and transportation engineering and at least 5 years of experience related to preparing traffic studies for existing or proposed developments.

E. The applicant shall provide advanced notification to the West Penn Township Engineer and/or his authorized representative regarding any meetings that may be scheduled with the Pennsylvania Department of Transportation.

F. Time Period. The traffic forecasts shall be prepared for the existing conditions, anticipated build year of the development and future year (Ten year projection); assuming full build out and occupancy. This year shall be referred to as the future year in the remainder of this ordinance.

G. Unless otherwise permitted by West Penn Township, all background documentation and traffic counts should not be older than two years from the time the initial application or TIS has been submitted to West Penn Township.

H. Existing traffic conditions shall be studied and documented for all roadways and intersections within the TIS area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic, and peak development-generated hour(s) traffic shall be recorded. Traffic counts at major intersections in the TIS area shall be conducted, encompassing the peak highway and development-generated hour(s), said documentation shall be included within the TIS report. The existing traffic data must be projected to build-year and future year conditions based on acceptable Growth Rate Factors.

I. Non-Site Traffic Estimates. Estimates of non-site traffic shall be made, and will consist of through traffic and traffic generated by all other developments within the study area for which preliminary or final plans have been approved. Non-site traffic may be estimated using any one of the following three methods: "Build-up" technique, area transportation plan data or modeled volumes, and trends or growth rates.

J. Trip Generation Rates Required. The TIS report shall include a table showing the categories and quantities of land uses, with the corresponding trip generation rates to equations (with justification for selection of one or the other), and resulting number of trips. The trip generation rates used must be either from the latest edition of Trip Generation by ITE, or from a local study of corresponding land uses and quantities. All sources must be referenced in the study.

K. Consideration of Pass-By Trips. If pass-by trips or shared-trips are a major consideration for the land use in question, studies and interviews at similar land uses

must be conducted or referenced. If no applicable data is available, refer to the ITE Manual, latest edition.

If a thorough analysis is required to account for pass-by trips, the following procedure should be used:

1. Determine the percentage of pass-by trips in the total trips generated.
2. Estimate a trip distribution for the pass-by trips.
3. Perform two separate trip assignments, based on the new and pass-by trip distributions.
4. Combine the pass-by and new trip assignment.

   Upon completion of the initial site traffic assignment, the results should be reviewed to see if the volumes appear logical given characteristics of the road system and trip distribution. Adjustments should be made if the initial results do not appear to be logical or reasonable. These adjustments should be clarified in the study.

L. Rate Sums. Any significant difference between the sums of single-use rates and proposed mixed-use estimates must be justified in the study report.

M. Explanations Required. The reasoning and data used in developing a trip generation rate for special/unusual generators must be justified and explained in the report.

N. Definition of Influence Area. Prior to trip distribution of site-generated trips, an influence area must be defined which contains eighty (80%) percent or more of the trip ends that will be attracted to the development. A market study can be used to establish the limits of an influence area, if available. If no market study is available, an influence area should be estimated based on a reasonable documented estimate. The influence area can also be based on a reasonable maximum convenient travel time to the site, or delineating area boundaries based on locations of competing developments.

Other methods such as using trip data from an existing development with similar characteristics or using an existing origin-destination survey of trips within the area can be used in place of the influence area to delineate the boundaries of the impact.

O. Estimates of Trip Distribution Required. Trip distribution can be estimated using any one of the following three methods:

1. Analogy
2. Trip distribution model
3. Surrogate data

Whichever method is used, trip distribution must be estimated and analyzed for the horizon year. A multi-use development may require more than one distribution and

coinciding assignment for each phase (for example, residential and retail phases on the same site).

Consideration must also be given to whether inbound and outbound trips will have similar distributions.

P. Trip Assignments. Assignments must be made considering logical routings, available roadway capacities, left turns at critical intersections, and projected (and perceived) minimum travel times. In addition, multiple paths should often be assigned between origins and destinations to achieve realistic estimates rather than assigning all of the trips to the route with the shortest travel time. The assignments must be carried through the external site access points and in large projects (those producing five hundred (500) or more additional peak direction trips to or from the site during the development's peak hour) through the internal roadways. When the site has more than one access driveway, logical routing and possibly multiple paths should be used to obtain realistic driveway volumes. The assignment should reflect conditions at the time of the analysis. Assignments can be accomplished either manually or with applicable computer models.

Q. Total Traffic Impacts. Traffic estimates for any site with current traffic activity must reflect not only new traffic associated with the site's redevelopment, but also the trips subtracted from the traffic stream because of the removal of a land use. The transportation impact report should clearly depict the total traffic estimate and its components.

R. The TIS should provide an overall assessment of existing and proposed pedestrian traffic within the interior road system of the development, along existing roads adjacent to the development, and all modes of transportation within 1,000 feet of the proposed development. The assessment should evaluate the existing and proposed infrastructure (sidewalks and bicycle lanes) that could accommodate non-motorized modes of transportation. Recommendations shall be provided to provide safe and convenient pedestrian modes of transportation.

S. Capacity Analysis. Capacity analysis must be performed at each of the major street and project site access intersection locations (signalized and un-signalized) within the study area. In addition, analyses must be completed for roadway segments, deemed sensitive to site traffic within the study area. These may include such segments as weaving sections, ramps, internal site roadways, parking facility access points, and reservoirs for vehicles queuing off site and on site. Other locations may be deemed appropriate depending on the situation.

The recommended level-of-service analysis procedures detailed in the most recent edition of the Highway Capacity Manual must be followed. The Planning Commission considers the overall level-of-service ratings A, B, C and D to be acceptable for signalized intersections (Levels C or better are considered desirable); level-of-service E or F is considered to be unacceptable. Other Capacity Software Programs will be considered on a case by case basis.

The operational analyses in the Highway Capacity Manual, latest edition, should be used for analyzing existing conditions, traffic impacts, access requirements, or other future conditions for which traffic, geometric, and control parameters can be established. Future condition year will be ten year minimum operation. Capacity analysis shall be provided for the existing year, build year, with and without development, and future year, with and without development.

T. Required Levels of Service. The recommendations of the TIS shall provide safe and efficient movement of traffic to and from and within and past the proposed development, while minimizing the impact to non-site trips. The recommendations should include that current levels of service are maintained if they are C or D, not allowed to deteriorate to worse than C if they are currently A or B, and improved to D if they are E or F. The overall goal of this section will be to detail necessary improvements to the study area roadway network which will provide for an overall level of service for the build out and future year year(s) with the development which is at least equivalent to the projected overall level of service for the build out and future year(s) without the proposed development.

U. Documentation Required. A TIS report shall be prepared to document the purpose, procedures, findings, conclusions, and recommendations of the study.

1. The documentation for a TIS shall include, at minimum:
    i. Study purpose and objectives.
    ii. Description of the site and study area.
    iii. Existing conditions in the area of the development.
    iv. Site photos, Location Map and Site Plan (1:50 scale min.)
    v. Recorded or approved nearby development.
    vi. Trip generation, trip distribution, and modal split.
    vii. Projected future traffic volumes (10 year).
    viii. An assessment of the change in roadway operating conditions resulting from the development traffic.
    ix. Recommendations for site access and transportation improvements needed to maintain traffic flow to, from, within, and past the site at an acceptable level of service.
    x. Analysis of all Township Roads that will be impacted by the proposed development from the proposed development site to the nearest State Route. The analysis must consider the existing pavement structure, pavement condition, lane width, shoulder width, horizontal geometry, vertical geometry and the ability for the roads to be safely traveled by the existing and proposed traffic traveling in opposing directions at the same time.

xi. Recommendations to address any safety concerns and/or any inadequacies identified in the TIS, including those identified on Township Roads and all other offsite areas.

2. The analysis shall be presented in a straight forward and logical sequence. It shall lead the reader step-by-step through the various stages of the process and resulting conclusions and recommendations.

3. Data shall be presented in tables, graphs, maps, and diagrams wherever possible for clarity and ease of review.

4. The recommendations shall specify the time period within which the improvements should be made (particularly if the improvements are associated with various phases of the development construction), and any monitoring of operating conditions and improvements that may be required.

5. To facilitate examination by the Township Planning Commission, an executive summary of one or two pages shall be provided, concisely summarizing the purpose, conclusions, and recommendations.

6. The report documentation outlined above provides a framework for site traffic access/impact study reports. Some studies will be easily documented using this outline. However, the specific issues to be addressed, local study requirements, and the study results may warrant additional sections.

V. At the direction of the Township and Engineer other additional analysis such as Turn Lane Analysis in accordance with PennDOT Publication 46, Queue Length Analysis in accordance with PennDOT Publication 46 and Traffic Signal Warrant Analysis in accordance with PennDOT Publication 46 and FHWA Manual on Uniform Traffic Control Devices (MUTCD), latest editions, may be required to be completed and submitted.

W. On-site traffic improvements may be required by West Penn Township in order to control traffic patterns, to lessen traffic congestion, to facilitate the adequate provision for future community or transportation improvements, and/or when clearly in the interest of the public health, safety, or general welfare. On-site traffic improvements may include, but are not limited to, cartway widening, right-of-way dedication, shoulder stabilization, vertical or horizontal curve realignment, grading and/or traffic control devices. Offsite improvement recommendations may include, but are not limited to roadway widening. The TIS shall include a list of recommendations for on-site traffic improvements and shall assure safe interior circulation patterns by separating vehicular and pedestrian traffic within the site whenever possible.

X. On-site pedestrian improvements may be required by West Penn Township in order to improve non-motorized modes of transportation and/or when clearly in the interest of the public health, safety, or general welfare. On-site non-motorized traffic improvements may include, but are not limited to, sidewalks, crosswalks, bicycle lanes, walking trails and handicapped ramps. The TIS shall include a list of recommendations for pedestrian improvements.

Y. The applicant shall consult with the West Penn Township Engineer and/or his authorized representative regarding on-site traffic and pedestrian improvements which may be required as a result of the proposed subdivision or land development.

Z. The applicant shall incur the cost of all required TIS as well as all on-site traffic and pedestrian improvements that may be required by West Penn Township or the Pennsylvania Department of Transportation. The applicant is responsible for all costs of the Township, and their agent(s), coordination, review and approval of the TIS.

AA. The documentation, analysis and recommendations contained within the TIS shall be subject to the review and consideration of the West Penn Township Planning Commission and Engineer as part of the proposed application for subdivision or land development. All review fees related to the review of the TIS will be the responsibility of the developer/applicant.

BB. Any TIS affecting a State Route must be reviewed by PennDOT and proof of approval from PennDOT must be provided to West Penn Township.

Section 2: Definitions. The following shall be added to Section 202 of the SALDO:

If a word or term is not defined in this Ordinance but is defined in the West Penn Township Zoning Ordinance, the Zoning Ordinance definition shall apply. Otherwise, any word or term not defined in this Subdivision and Land Development Ordinance shall be used with a meaning of standard language.

Section 3: Repealer. All Ordinances or Resolutions, or parts of Ordinances or Resolutions, insofar as they are inconsistent herewith, shall be in the same or hereby repealed.

Section 4: Validity. If any Section or part of a Section of this Ordinance shall be declared invalid, such invalidity shall not affect the remaining parts or Sections of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been enacted as if such invalid Section or portion thereof had not been included therein.

Section 5: Effective Date. This Ordinance shall become effective five (5) days after adoption.

ORDAINED AND ENACTED this 8th day of December, 2015, by a vote of 3 Yes / No / Abstained / Absent.

BOARD OF SUPERVISORS
OF WEST PENN TOWNSHIP

James A. Akins, Chairman

James G. Dean, Vice Chairman

Ted Bogosh, Supervisor

ATTEST:

Bobbijean Muffley, Secretary