



# Certified Recommendation

Raleigh Planning Commission

CR#

## Case Information: TC-2-17 Transit Amenities

### Comprehensive Plan Guidance

<p><i>Applicable Policy Statements</i></p>	<p><b>Policy T 1.6 – Transportation Impacts.</b> Identify and address transportation impacts before a development is implemented.</p> <p><b>Policy T 2.1 – Integration of Travel Modes.</b> Promote and develop an integrated system that offers safe and attractive choices among modes including pedestrian walkways, bikeways, public transportation, roadways, railways and aviation.</p> <p><b>Policy T 4.1 – Promoting Transit.</b> Promote and support quality transit services to enhance mobility options and to meet the needs of the City’s residents and visitors, with a focus on transit-dependent households.</p> <p><b>Policy T 4.4 – R.O.W. Reservation for Transit.</b> Preserve right-of-way for future transit and require that new development and redevelopment provide transit easements for planned alignments, rail stations and bus stops within existing and planned transit corridors as identified in the Regional Transit Vision Plan.</p> <p><b>Policy T 4.8 Bus Waiting Areas.</b> Developments located within existing and planned bus transit corridors should coordinate with CAT to provide a stop facility that is lit and includes a shelter, bench, and other amenities (such as a waste receptacle) as appropriate.</p> <p><b>Policy T 4.15 Enhanced Rider Amenities.</b> Promote the use of transit facilities and services through enhanced pedestrian access and provisions for seating, shelter and amenities.</p>
<p><i>Action Items</i></p>	<p>Not applicable</p>

### Summary of Text Change

<p><i>Summary</i></p>	<p>Amends Article 8 of the Raleigh Unified Development Ordinance to insert regulations related to transit amenities, which would be required at development plan review.</p>
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## Zoning Staff Report – TC-2-17

### Transit Amenities

#### Request

<i>Section Reference</i>	TC-2-17 Transit Amenities
<i>Basic Information</i>	Amends the UDO to insert regulations related to dedication of transit easements and construction of transit amenities in conjunction with development plans.
<i>PC Recommendation Deadline</i>	April 10, 2017

#### Comprehensive Plan Guidance

<i>Applicable Policies</i>	Policy T 1.6 – Transportation Impacts Policy T 2.1 – Integration of Travel Modes Policy T 4.1 – Promoting Transit Policy T 4.4 – R.O.W. Reservation for Transit Policy T 4.8 - Bus Waiting Areas Policy T 4.15 - Enhanced Rider Amenities
<i>Action Items</i>	Not applicable

#### Contact Information

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#### History/Overview

This text change was initiated by staff in the Transportation Department. There are no regulations in the existing UDO related to dedication of transit easements or construction of transit amenities, which can include a bench, cement pad and shelter. Traditionally, these items have been discussed at the rezoning stage when a need has been identified and the applicant offers dedication or construction of facilities. As a result, the planning for transit amenities has become somewhat haphazard and dependent upon rezoning applications within areas served by transit.

This text change would insert regulations related to dedication of an easement and installation of amenities. The proposed language contains thresholds for requirement, depending on intensity of development.

#### Purpose and Need

The City has long implemented its transit plan by identifying appropriate locations for transit stops and amenities and negotiating with property owners on a case-by-case basis. In recent years, rezoning applicants have offered transit easements and installation of amenities as a voluntary zoning condition. These methods have proven to be inconsistent and been costly and time

consuming for staff to implement. Wake County has recently identified funding of the transit plan. This plan focuses on bus service throughout the County. As development increases along these transit corridors, the City needs a mechanism to require dedication of transit easements and amenities in conjunction with a development plan application. Currently, the UDO requires public improvements (installation of public utilities and construction of curb, gutter, sidewalk and street) at time of development plan submittal. The adoption of this text change will help staff implement the adopted transit plan.

## **Alternatives Considered**

None

## **Scoping of Impacts**

Potential adverse impacts of the proposed text change have been identified as follows:

The adoption of the text change will require developers to either dedicate a transit easement of 15 feet by 20 feet, or construct transit amenities, or both. The amenities could include a cement pad, bench or shelter. The installation of these amenities would come at a cost to the developer; albeit fairly nominal as compared to site development.

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

Without these regulations, the City would continue to receive voluntary zoning conditions that offer transit amenities. This is dependent on the applicant's willingness to offer the zoning condition. Because rezoning requests happen in a sporadic manner and are of varying intensity, there is no predictability in locating transit easements in conjunction with development plans. This creates a situation where the City is forced to negotiate with the developer or property owner to secure an easement through purchase or condemnation. This is a lengthy, costly and uncertain process.

The County has recently gained approval for funding the transit plan. The City has begun to work with the County to implement the transit plan, which will focus on bus service. An orderly implementation of the transit plan is key to its success. As developments occur along identified transit routes, enhanced amenities and additional transit stops will be realized.

## **Impacts Summary**

### **Adoption of Proposed Text Change**

If this text change were adopted, the City would have a mechanism to require dedication of transit easements and installation of amenities. These requirements would benefit the transit-riding public by locating transit stops and amenities in areas of significant development. With clear regulations contained within the UDO, the Transportation Department would have the tools in place to plan transit service for the future.

### **No action**

If this text change is not adopted, the Transportation Department will continue to depend on an offer of transit amenities at the rezoning stage. Absent any offered zoning condition, the City will continue to negotiate with property owners on an individual basis to purchase an easement to locate transit amenities.

**ORDINANCE NO. 2017 – 739 TC 397**  
**TC-2-17**

**AN ORDINANCE TO ESTABLISH REGULATIONS FOR  
TRANSIT AMENITIES REQUIRED AT TIME OF SITE DEVELOPMENT**

**WHEREAS**, the City of Raleigh has invested in a public transit service to benefit its residents and visitors; and

**WHEREAS**, the intent of the transit service is to provide a low-cost transportation option that can reduce individual vehicle miles travelled; and

**WHEREAS**, the 2030 Comprehensive Plan contains policy guidance for planned growth in the City of Raleigh; and

**WHEREAS**, the Unified Development Ordinance contains a requirement for certain development related improvements to be installed with any development plan.

***NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH THAT:***

**Section 1.** Section 1.1.12, "Adopted Manuals," of Part 10, Raleigh Unified Development Ordinance, is hereby amended by inserting language that is shown in underline:

**Sec. 1.1.12. Adopted Manuals**

The following external manuals contain technical requirements and are maintained by the City and referenced in this UDO:

- A. Addressing Manual;
- B. Guidelines for Land Disturbing Activity;
- C. Design Guidelines for Raleigh Historic Districts and Landmarks dated May 2, 2017;
- D. Private Use of Public Spaces;
- E. Public Utilities Handbook;
- F. Solid Waste Services Design Manual;
- G. Stormwater Manual;
- H. Street Design Manual dated January 1, 2018; and
- I. Tree Manual.

**Section 2.** A new Section 8.2.7 shall be inserted, which reads:

**Sec. 8.2.7. Transit Infrastructure**

- A. Transit infrastructure shall be provided in accordance with *Article 8.11*.
- B. The size and type of the infrastructure required shall be in accordance with *Sec. 8.11.3*.

**Section 3.** A new Article 8.11 titled "Transit Infrastructure" shall be inserted, which reads:

**Article 8.11. Transit Infrastructure**

**Sec. 8.11.1 General Provisions**

**A. Intent**

In order to maintain and improve access to the local and regional transit systems, development subject to site plan review per *Sec. 10.2.8*. and located along existing or planned transit routes is required to provide for new transit amenity infrastructure. The required improvements may include a transit easement, shelter, bench or other amenities as described in *Sec. 8.11.3*.

**B. Applicability**

- 1. Where a site plan is proposed on lots with frontage on an existing near-term planned or long-term planned transit route the requirements of this Article shall apply.
- 2. The type, quantity and location of transit infrastructure to be provided are based upon trip generation rate of the proposed development. When a suitable location for the transit stop cannot be provided on-site due to physical constraints, a fee in lieu of construction shall be paid to the City for the design and construction of a comparable stop location nearby. Physical constraints are defined as:
  - a. Steep slopes in excess of 15%;
  - b. Potential intersection or driveway sight distance conflicts; or,
  - c. The proposed location poses an unsafe condition for the transit system, motor vehicles, or pedestrians.

**C. Land Use and Daily Trips**

Accepted trip generation standards will be analyzed to determine whether or not dedication or installation of a transit stop and associated infrastructure shall be required. These standards are a function of land use, size of building or use and total daily site trips. This determination will be made pursuant to *Sec. 8.11.3*.

**D. Operational Considerations**

A transit stop will be constructed on-site when it facilitates the efficient and safe operation of the transit service and allows for safe vehicular and pedestrian movements.

**Sec. 8.11.2 Requirement Thresholds**

- A. Transit infrastructure, in accordance with *Sec. 8.11.3.*, is required when all of the following conditions are present:
  - 1. The site has frontage along an existing public transit route operated either by a public transit agency, or the site has frontage along a planned transit route as illustrated in the City's adopted Comprehensive Plan; and
  - 2. The site will generate a minimum of 500 daily vehicular trips as calculated per the current edition of the Institute of Transportation Engineers' *Trip Generation Handbook*.
  - 3. If site development generates a minimum of 2,500 daily vehicular trips as calculated per the current edition of the Institute of Transportation Engineers' *Trip General Handbook*, and the site has frontage on more than one public street and is served by more than one public transit, two transit stops with infrastructure will be required.
  
- B. A new transit stop shall not be required if an existing transit stop is within a walking distance of 1,320 feet and located on the same side of the street with the same facilities that a new transit stop would be required to provide. This exemption shall not be allowed for site plans that serve a hospital, senior housing, life care community or congregate care facility.

**Sec. 8.11.3 Determining the Required Transit Infrastructure**

When the provisions of *Sec. 8.11.1.B.* are met, the following transit infrastructure will be required. The infrastructure elements shall meet the typical specifications as shown in the Raleigh Street Design Manual.

- A. **Transit Easement** – When the transit stop is located outside of the right-of-way, a permanent 15' x 20' transit easement dedicated to the City of Raleigh shall be required on the development site.
  
- B. **Landing Pad** – A concrete pad is required in all cases between the public sidewalk and the back of curb. The minimum width of the landing pad requirement for a transit stop (the area from which passengers board the bus and onto which passengers alight from the bus) is 30 feet. Landing pads shall fill the entire depth between the back of the curb and the public sidewalk. In cases where the depth of this area exceeds 10 feet, or in cases where curb does not exist, special accommodations may

be considered on a case-by-case basis. Where placement of the landing pad conflicts with an existing or proposed street tree, the installation of a landing pad shall take precedence.

- C. **Transit Stop Pad** – A concrete pad measuring 15' x 20' behind the public sidewalk, upon which all transit infrastructure is permanently installed.
- D. **Sidewalk Connectivity** – Sidewalks should be constructed to connect the transit stop to the nearest existing sidewalk or public street intersection.
- E. **Trash Receptacle** – Trash receptacles shall be provided at the transit stop in all cases.
- F. **Seating** – Seating shall be provided in all cases where a transit stop is required.
- G. **Transit Shelter** – A transit shelter shall be provided at the required transit stop.

Notwithstanding the foregoing, the Transportation Director may approve an equivalent alternate design.

**Sec. 8.11.4 Determining the Location of the Required Transit Stop**

- A. The Transportation Director shall make a final determination of stop location suitability in accordance with this section and in consideration of the following:
  - 1. A suitable transit stop shall allow for safe connectivity with the pedestrian network including access to sidewalks, the presence of crosswalks within 1,320 feet from the stop, and suitable visibility.
  - 2. A suitable transit stop shall be designed to accommodate efficient bus operations including bus stop spacing, curb clearance, placement in relation to the roadway, abutting property owner/tenant parking restrictions and regulations at and near the stop, vehicle turning radii, roadway lane width and surfaces, intersection design topography and other physical constraints as specified in *Sec. 8.11.1.B.2*.
- B. When required, a transit stop and required infrastructure shall be provided and installed on the development site by the developer in all cases except for the following:
  - 1. When the site is located in a DX use district, or
  - 2. The site is zoned with an Urban Limited, Urban General or Shopfront frontage.

In these instances, the transit stop and infrastructure shall still be required, but may be installed within the public right-of-way. If a suitable location cannot be identified by the Transportation Director in accordance with the Raleigh Street Design Manual either on the

development site or in the adjacent right-of-way, a fee in lieu of construction of the subject transit amenities shall be required in accordance with *Sec. 8.11.5*.

**Sec. 8.11.5 Fees In Lieu of Construction**

- A. Where the Transportation Director determines that construction of a transit stop and infrastructure would not be feasible, a fee in lieu of construction may be permitted in accordance with *Sec. 8.1.10*.
- B. If the development site is within 1,320 feet of an existing and accessible bus stop on the same side of the street, the Transportation Director shall determine if the developer shall pay a fee in lieu towards the upgrading of the existing stop, or if the existing stop shall be relocated onto or adjacent to the development site. This determination shall be made based on which site has the best balance of the following criteria:
  - 1. Pedestrian and vehicular safety.
  - 2. Operational safety and efficiency.
  - 3. Proximity to the transit trip generators.

**Section 3.** Section 9.1.4.C.7, "Tree Conservation Area Allocation – Excluded Areas," shall be amended as follows (new text underlined):

**C. Excluded Areas**

Tree conservation areas must exclude the following:

- 7. Any area devoted or to be devoted to streets, future right-of-way reservations, sidewalks, driveways, walkways, transit easements and storm drainage facilities, including without limitation, pipes, energy dissipaters and stormwater control measures which require the removal of vegetation.

**Section 4.** Section 12.2 of the Part 10 Raleigh Unified Development Ordinance, "Defined Terms," shall include the following new terms, inserted in alphabetical order:

**Transit Stop**

A designated place where public transit vehicles pause on a scheduled basis to allow for passenger boarding and alighting a public transit vehicle. A transit stop is marked with a City-issued bus stop sign and may include amenities such as shelters, benches and trash receptacles.

**Transit Easement**

A permanent easement dedicated to the City and recorded with the County where the transit stop is located for the purpose of providing public transit services. The transit easement

provides public access to the property, allows construction, installation and maintenance of amenities on the site.

**Transit Shelter**

A permanently installed structure located at a transit stop that provides seating and protection from the weather for people waiting for a transit vehicle.

**Transit Stop Pad**

A firm, stable and slip-resistant surface constructed from concrete at a bus stop. The transit stop pad provides a permanent location to construct transit amenities and for passengers to wait for an approaching bus, and shall satisfy the requirements of the Americans with Disabilities Act and shall be constructed in conformance with the design standards contained in the Raleigh Street Design Manual.

**Landing Pad**

A firm, stable and slip-resistant surface typically located between the back of curb and adjacent sidewalk constructed from concrete at a bus stop. The pad provides continuity between the sidewalk and a transit vehicle for all users and allows for the deployment of wheelchair ramps from the transit vehicle. The landing pad may also serve as the foundation to which a bench or shelter is permanently mounted and shall satisfy the requirements of the Americans with Disabilities Act.

**Infrastructure**

Transit supportive items including but not limited to seating, shelter, trash receptacles, lighting and real-time transit schedule information provided at a transit stop for the comfort, safety and/or convenience of transit passengers.

**Existing Transit Route**

Any fixed-route public transit service operated by or on behalf of a public transit agency and shown on the current system map of the agency.

**Planned Transit Route**

Any fixed route public transit service described or illustrated in the City's adopted Comprehensive Plan or adopted by a local or regional public transit agency.

**Public Transit Agency**

Publicly-funded operators of bus transit systems, including but not limited to the City of Raleigh, GoTriangle, the Town of Cary, and North Carolina State University.

**Section 5.** Changes to the Raleigh Street Design Manual will be administratively performed, as a result of the adoption of this ordinance. The Manual will be updated to include the adopted regulations and insert any graphic diagrams or engineered details necessary. The items described in Section 8.11.3 will be included in the Manual in the form of graphic diagrams or engineered details.

**Section 6.** All laws and clauses of laws in conflict herewith are repealed to the extent of such conflict.

**Section 7.** If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

**Section 8.** This text change has been reviewed by the Raleigh City Planning Commission.

**Section 9.** This ordinance has been adopted following a duly advertised public hearing of the Raleigh City Council.

**Section 10.** This ordinance has been provided to the North Carolina Capital Commission as required by law.

**Section 11.** This ordinance shall be enforced as provided in N.C.G.S. 160A-175 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in N.C.G.S. §14-4(a) or similar limitations.

**Section 12.** This ordinance is effective on January 1, 2018.

**ADOPTED:** September 5, 2017

**EFFECTIVE:** January 1, 2018

**Distribution:** Planning – Bowers, Crane, Mitchell, Hodge, Reckhow, Little  
Development Services – Phyfer  
Stormwater – Hinkle, Boyer  
City Attorney – Seymour, Hargrove-Bailey  
Management Team DL  
Transcription Services – Taylor

*Prepared by the Department of City Planning*