



**Requested by Transportation & Infrastructure Development Staff:**

- 1. Amendments to Sec. 7.2.1.L *Traffic Calming* in order to update the criteria and process used for warranting and approving traffic calming devices as well as the roles and responsibilities within the Town for collecting traffic data and administering the traffic calming program.**

**Background:** In May 2007, the traffic calming policy was updated and incorporated in the Unified Development Ordinance (UDO). In 2015, the Town’s traffic engineer conducted public outreach involving various HOA boards with the assistance of Apex Police Department which resulted in changes to the criteria and process for warranting and approving traffic calming devices. At that time, Apex Police Department collected traffic data for each study and provided it to the Town’s traffic engineer. Since 2015, the Transportation & Infrastructure Development Department has been formed and engineering staff added within that department have been collecting the data while also administering the program.

Community input of growing traffic safety concerns in neighborhoods and adoption of the Vision Zero Action Plan has since caused staff to revisit the current criteria and process. In 2023, staff researched other communities’ traffic calming practices for consideration of potential changes to the traffic calming program. The proposed changes to the UDO are to align it with the updated roles and responsibilities within the traffic calming program as well as updating the criteria and process used to recommend and approve traffic calming devices based on staff’s research conducted in 2023.

7.2.1 Streets

...

L) *Traffic Calming*

- 1) No development proposal shall be permitted to provide for the installation of traffic calming measures in an adjacent or nearby existing neighborhood unless the street(s) meet the criteria in Section ~~7.2.1(L)(3)~~ of this Ordinance.
- 2) All new residential developments shall provide for the installation for traffic calming measure(s) on each Residential Street within the development where the length of the public street exceeds 1,000 feet. The location and type of traffic calming measure(s) shall be determined by the Planning Department and **Transportation & Infrastructure Development Department**~~Engineering Division of Construction Management~~. Traffic calming measure(s) include but are not limited to traffic circles, roundabouts, curb extensions, chicanes, splitter islands, and designated on-street parking. **Vertical deflection devices such as speed speed humps and/or speed cushions** are only allowed as traffic calming measures in existing neighborhoods that meet the criteria in Section ~~7.2.1(L)(3)~~ of this Ordinance. **Signs, markings, warning devices, educational outreach and enforcement measures may be recommended by Town staff based on engineering evaluation, but the implementation of such measures shall not be subject to the requirements of Sec. 7.2.1.L.3.**

- 3) This section replaces the Town of Apex Traffic Calming Device Policy and Guidelines. The Town may install and maintain traffic calming devices on Town-maintained streets directly serving residential driveways where speeding vehicles are the primary concern. The following procedures are meant to ensure that traffic calming devices are installed and used as intended for the appropriate and consistent treatment on Town-maintained streets and receive the support of the affected neighborhood. Traffic calming devices are limited to vertical and/or horizontal changes in the vehicular travelway that may or may not involve adjustments to existing curb. Stop and yield signs are defined as traffic control devices and are not appropriate for use as traffic calming devices. Stop and yield signs are however subject to engineering evaluation by the Town's ~~Construction Management—Engineering~~ **traffic engineering** staff according to the Manual on Uniform Traffic Control Devices. Traffic calming requests are subject to the following qualifying criteria:
- a) Streets on which traffic calming devices are requested must be residential and exhibit all of the following characteristics:
    - (i) Posted speed is 25 miles per hour;
    - (ii) Roadway is not a **Major** Collector Street or Thoroughfare;
    - (iii) The ~~average 85<sup>th</sup>-percentile~~ speed **meets or exceeds 30-32** miles per hour ~~during any one hour period in which the~~ **and the** number of vehicles **traveling on the street in a 24-hour period** meets or exceeds ~~100-800~~. ~~The data collected to determine average speed may be based on an average of 100 vehicles per hour or more over multiple days of data; and~~
    - (iv) Installation of traffic calming devices along the street is not anticipated to create unacceptable delays in emergency response times for residences served by the street in the judgment of the Town's Police Chief and Fire Chief **or their designee(s)**.
  - b) The request must be initiated, accepted, and supported by the property owners within the affected residential neighborhood:
    - (i) The requesting party must submit a request to the ~~Transportation~~ **Traffic Safety** Engineer. Requests for traffic calming devices at a particular location are limited to one request within a 24-month period. ~~Upon consultation with the Town's Police Department, the Transportation Engineer may request a study be conducted or inform the requesting party that the location is not a candidate for traffic calming measures based on the Town's criteria. If requested, the Town's Police Department will conduct a traffic speed and volume survey and provide the results to the Transportation Engineer who will determine whether all criteria in Section 7.2.1 (L)(3) are satisfied.~~
    - (ii) If all the required criteria in Section 7.2.1.(L).{3} are met, the ~~Transportation~~ **Traffic Safety** Engineer will notify the requesting

party and homeowners' association (if one exists), develop a sketch plan reflecting the types and locations of the proposed traffic calming devices, and **only in the absence of a homeowners' association**, prepare a petition boundary area. The petition boundary area shall include at a minimum all lots adjacent to the street within the subdivision where traffic calming devices are proposed along with all cul-de-sac streets and loop streets dependent on that street for connectivity. **Before the Town can proceed with implementation of the traffic calming plan, either the requesting party must return a valid petition in favor of the plan according to Sec. 7.2.1.L.3.b.iii, or** ~~Once the homeowners' association~~ **must provide (1) proof of neighborhood notification, (2) meeting minutes, and (3) documentation of association approval of the plan to the Traffic Safety Engineer within six (6) months.** ~~is provided the sketch plan and petition boundary area, the association shall have 30 calendar days to either vote against the plan in order to end the process or vote to proceed, either with the association voting to administer a petition to the Transportation Engineer or the association delegating that authority to the original requesting party. In either event the association shall notify the Transportation Engineer of the vote. If the homeowners' association takes no action or fails to notify the Transportation Engineer of the outcome of the vote within 30 calendar days of being provided the sketch plan and petition boundary area then the requesting party may proceed with the petition. The requesting party and homeowners' association may provide Town staff with input concerning the desired types and locations of the proposed traffic calming devices, but the final decision as to all elements of the sketch plan (including but not limited to the types and locations of the proposed traffic calming devices) shall be solely within the engineering judgment of Town staff.~~

- (iii) **In the absence of a homeowners' association, the** ~~The requesting party or homeowners' association for the affected residential neighborhood must provide the Town with a completed petition as noted in part Section 7.2.1.L.3.b.ii) with at least 70% agreement from homeowners within the petition boundary area no later than six (6) months following the date **the traffic calming sketch plan is provided** of the traffic survey. Each signature line shall include the printed and signed name of at least one of the deed holders for the residential property, the address, and date signed.~~
  
- (iv) ~~The requesting party or homeowners' association must pay the Town 20% of the estimated cost of installing the requested traffic calming devices as reflected in the sketch plan prior to the request being scheduled for consideration by the Town Council. If the Town Council does not approve the plan then the 20% cost share shall be refunded.~~

- (iv) The Town Council will consider a petition request to remove traffic calming devices on Town-maintained streets by a requestor with a valid removal petition or by homeowners' association approval of a removal request following the same process for requesting installation. upon receipt of a petition signed by at least 70% of the owners of lots within the petition boundary area as noted in Section 7.2.1(L)(3)(b)(ii). In the absence of a previously defined petition boundary area where a homeowners' association does not exist, the Transportation Traffic Safety Engineer shall prepare a new petition boundary area. The homeowners' association may proceed with a petition to remove traffic calming devices at any time or delegate that authority to a requesting party. In the absence of a homeowners' association or if no action is taken by the homeowners' association within 30 calendar days of receiving a request the requesting party may proceed with a petition. If a removal petition is submitted at any time within five (5) years from the date of installation thereof, the requesting party or homeowners' association must pay the Town (in advance of removal) 100% of the estimated cost of removing such device(s); provided, however, that nothing shall limit or otherwise impair the Town's discretion to remove, at the Town's initiative, any traffic calming device on Town-maintained streets.

After all of the criteria have been satisfied, the Town Council will make the final decision whether to approve the proposed installation/removal project. The Town Council reserves the right to deny any request for installation/removal of traffic calming devices on Town-maintained streets, in its sole discretion. After the project has been approved by the Town Council and submitted to the Town's Director of Transportation & Infrastructure Development Construction Management, the street will be rated for priority, and then scheduled for installation/removal of the traffic calming devices in accordance with the approved sketch plan.

**PLANNING STAFF AND TRANSPORTATION & INFRASTRUCTURE DEVELOPMENT STAFF RECOMMENDATION:**

Planning staff and Transportation & Infrastructure Development staff recommend approval of the proposed amendments.

**PLANNING BOARD RECOMMENDATION:**

The Planning Board heard these amendments at their February 12, 2024 meeting and unanimously recommended approval.



## TOWN OF APEX

POST OFFICE BOX 250  
APEX, NORTH CAROLINA 27502  
PHONE 919-249-3426

## PUBLIC NOTIFICATION OF PUBLIC HEARING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO)

Pursuant to the provisions of North Carolina General Statutes §160D-601 and to the Town of Apex Unified Development Ordinance (UDO) Sec. 2.2.11, notice is hereby given of a public hearing before the Town Council of the Town of Apex for the purpose of soliciting comments relative to the following amendment(s) to the Unified Development Ordinance that are applicable Town-wide:

### Requested by Transportation & Infrastructure Development Staff:

1. Amendments to Sec. 7.2.1.L *Traffic Calming* in order to update the criteria and process used for warranting and approving traffic calming devices as well as the roles and responsibilities within the Town for collecting traffic data and administering the traffic calming program.

**Public Hearing Location:** Apex Town Hall  
Council Chamber, 2<sup>nd</sup> Floor  
73 Hunter Street, Apex, North Carolina

### **Town Council Public Hearing Date and Time: February 27, 2024 6:00 PM**

You may attend the meeting in person or view the meeting through the Town's YouTube livestream at: <https://www.youtube.com/c/townofapexgov>.

If you are unable to attend, you may provide a written statement by email to [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), or submit it to the Office of the Town Clerk (73 Hunter Street or USPS mail - P.O. Box 250, Apex, NC 27502), at least two business days prior to the Town Council vote. You must provide your name and address for the record. The written statements will be delivered to the Town Council members prior to their vote. Please include the Public Hearing name in the subject line.

The UDO can be accessed online at: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP  
Planning Director

Published Dates: February 5-27, 2024



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## NOTIFICACIÓN PÚBLICA DE AUDIENCIAS PÚBLICAS

### Modificación de la Ordenanza de Desarrollo Unificado (UDO)

De conformidad con las disposiciones de los Estatutos Generales de Carolina del Norte §160D-601 y con la sección 2.2.11 de la Ordenanza de Desarrollo Unificado (UDO) del pueblo de Apex, por la presente se notifican las audiencias públicas ante el Consejo Municipal del pueblo de Apex a fin de solicitar comentarios relativos a la siguiente modificación de la Ordenanza de Desarrollo Unificado que se aplican a toda la ciudad:

#### **A solicitud del personal de Desarrollo de Transporte e Infraestructura:**

1. Enmiendas a la sección 7.2.1.L *Moderación del tráfico* para actualizar los criterios y el proceso utilizados para garantizar y aprobar los dispositivos de moderación de tráfico, así como las funciones y responsabilidades dentro del ayuntamiento para la recopilación de datos de tráfico y la administración del programa de moderación del tráfico.

**Lugar de la audiencia pública:** Ayuntamiento de Apex  
Cámara del Consejo, 2º piso  
73 Hunter Street, Apex, Carolina del Norte

#### **Fecha y hora de la audiencia pública del Consejo Municipal: 27 de febrero de 2024 6:00 PM**

Puede asistir a la reunión de manera presencial o seguir la transmisión en directo por YouTube a través del siguiente enlace: <https://www.youtube.com/c/townofapexgov>.

Si no puede asistir, puede enviar una declaración escrita por correo electrónico a [public.hearing@apexnc.org](mailto:public.hearing@apexnc.org), o presentarla a la Oficina del Secretario Municipal (73 Hunter Street o por correo USPS a P.O. Box 250, Apex, NC 27502), al menos dos días hábiles antes de la votación del Consejo Municipal. Debe proporcionar su nombre y dirección para que conste en el registro. Las declaraciones escritas se entregarán al Consejo Municipal antes de la votación. No olvide incluir el nombre de la audiencia pública en el asunto.

Se puede acceder a la UDO en línea en: <http://www.apexnc.org/233>.

Dianne F. Khin, AICP  
Directora de Planificación

Fechas de publicación: 5 de febrero – 27 de febrero de 2024



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