

ORDINANCE XX-XXXX

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AUTHORIZING AND ESTABLISHING A COMPREHENSIVE TRAFFIC CALMING POLICY; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Town of Lake Park, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapters 163, Florida Statutes; and

WHEREAS, the Town is responsible for maintaining and operating its traffic and transportation systems and associated infrastructure; and

WHEREAS, the Town Commission desires to implement traffic calming strategies to promote public safety, and mobility, and reduce environmental impacts associated with transportation systems; and

WHEREAS, the Town Manager has also recommended the establishment of a Traffic Calming Ordinance to promote a safer and more connected transportation system for the community; and

WHEREAS, the Town Commission has determined that establishing a Traffic Calming Ordinance would further the public's health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA:

Section 1. The foregoing recitals are hereby incorporated herein as true and correct.

Section 2. ARTICLE IV - TRAFFIC CALMING.

Sec. 30-71. - Purpose.

Traffic calming strategies reduce hazardous speeds for motor vehicles and the severity and frequency of motor vehicle collisions. Additionally, traffic calming increases the safety and the perception of safety for non-motorized street users, reduces the need for police enforcement, and enhances the street environment, among other benefits. Accordingly, this Ordinance of the Town Commission establishes policy related to traffic calming in the town, establishes a formal process by which residents and business owners of the town can request the implementation of traffic calming strategies in the community, and establishes a process by which such requests can be systematically and objectively evaluated by an advisory body, approved by the Town Commission, based on established, data-driven criteria, prioritized and funded for implementation.

Sec. 30-72. - Definitions.

Appropriation means a sum of funding or total of assets dedicated by the Town Commission to a special purpose, i.e., Traffic calming.

Traffic Calming means a combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users.

Traffic Count means a count of vehicular traffic, which is conducted during both peak and off-peak periods, along a particular road, path, or intersection.

Traffic Study means an engineering investigation to evaluate a transportation system. The study is a means of identifying and documenting any deficiencies or improvements (operational and/or physical) necessary to accommodate current or projected traffic volumes.

Sec. 30-73. - Criteria.

The Town Commission shall consider a request for placement of traffic calming measures upon meeting **all** the following criteria:

- (1) The street is publicly dedicated, maintained by the town and located within a residential zoning district;
- (2) The area to be traffic calmed is at least 600 feet in length, between intersections;
- (3) The street is not an alley or a dead-end;
- (4) The street is not part of a bus route, a detour route, an evacuation route and/or an important access route for emergency vehicles; and will not block access to fire hydrants or impair travel for fire, rescue or solid waste vehicles.
- (5) A traffic study has been completed by Town staff or a qualified consultant contracted by the Town to determine and analyze traffic counts;
- (6) The 85th percentile speed is greater than 30 mph for those streets posted at 25 mph, or greater than 35 mph for those streets posted at 30 mph;

- (7) Traffic counts on the street are more than 500 but less than 3,000 vehicles per day;
- (8) For requests for a street identified on the Town's Mobility Plan, the requested traffic calming measures must be consistent with the Town's Mobility Plan and will require prioritization of such street by the Town Commission, contingent on available funds;
- (9) There must be written support, in the form of a petition with names, signatures and property addresses, from at least 75 percent of the residents whose properties front the area proposed to be traffic calmed. Such support must include 51 percent of the actual property owners.

Sec. 30-74. - Final authority of Town Commission.

Notwithstanding any other provision of this Article, the Town Commission retains the right to initiate, approve, deny or remove any traffic calming measure or appurtenant landscaping on any street within the town limits pursuant to the criteria and process outlined in this Article.

Sec. 30-75. - Organization.

The public works director or designee shall serve as the principal point of contact for the program and shall coordinate review of applications for traffic calming measures, pursuant to the required criteria, with the Town's public works department, community development department, in-house or contracted traffic engineer, Palm Beach County Sheriff's Office (PBSO), Palm Beach County Fire Rescue (PBCFR) (collectively, "Application Reviewers"), and with any other agency or organization, public or private, having an interest in the application.

The public works director, with the advice of Application Reviewers, shall establish forms required for the effective implementation and enforcement of this Ordinance; the public works director shall also review the application fee annually and shall recommend fee adjustments as needed.

Sec. 30-76. - Duties and responsibilities of Application Reviewers.

Application Reviewers shall:

1. Review all applications for traffic calming measures to ensure that all applications comply with the criteria established in the Code of Ordinances;
2. Recommend procedures for the uniform review and evaluation of applications for traffic calming measures;
3. Recommend to the Town Commission approval or disapproval of applications for traffic calming measures;
4. Evaluate and make recommendations to the Town Commission as to the traffic calming measure recommended for approval;
5. Evaluate and make recommendations to the Town Commission as to the priority of applications for traffic calming recommended for approval.

Sec. 30-77. - Application review cycles and procedure.

- (a) Applications for traffic calming shall be reviewed on a first-come, first-serve basis pursuant to a complete application received by the Town's Public Works Department utilizing the application form provided by the Town and payment of the application fee established by Resolution of the Town Commission. No more than three traffic calming applications will be reviewed per fiscal year given their review and implementation funding implications. The Town Commission reserves the right to deny any application for traffic calming measures, following presentation by Town Staff, due to funding limitations, or inapplicability to approved plans and studies. All completed applications received shall be reviewed within 60 days and presented to the Town Commission within 90 days. If approved by the Town Commission based on the data and recommendations provided by all Application Reviewers (including cost estimates by the traffic engineer), the Public Works Department shall then move forward in soliciting final implementation costs.
- (b) Applications shall be reviewed in this order (some reviews may occur concurrently as needed and appropriate):
- (1) Public Works Department (review for completeness; gather necessary traffic counts and initiate traffic study)
 - (2) Palm Beach County Sheriff's Office (PBSO) (provide necessary data and review)
 - (3) In-house or Contracted Traffic engineer (review raw data; produce traffic study; provide recommendations, including recommended traffic enhancement tools, infrastructure or landscaping, consistent with the Manual on Uniform Traffic Control Devices (MUTCD), as applicable and their estimated cost for implementation)
 - (4) In-house or Contracted Landscape Architect (for appropriateness and consistency with the Town Code, if landscaping traffic enhancement tools are recommended)
 - (5) Palm Beach County Fire Rescue (PBCFR) (review final recommendations for any conflicts)
 - (6) Community Development Department (review application and final recommendations for a consistency with the Town's Mobility Plan and Streetscape, Street Trees and Landscape Enhancement Plan, as applicable)
 - (7) Other agencies or organizations, public or private, having an interest in the application.
- (c) Accepted applications shall be reviewed and evaluated within sixty (60) calendar days from date of receipt.

Sec. 30-78. - Removal of traffic calming measures.

Requests for removal of installed traffic calming measures shall follow the same procedure as applications for such measures, shall be evaluated by the Application Reviewers and presented for consideration by the Town Commission in a public meeting. Removal of installed traffic calming measures shall be at the expense of the party requesting removal. If multiple measures

are in place, the Town Commission may approve removal of traffic calming measures other than those requested.

Sec. 30-79. - Funding.

Funding for the implementation of approved applications for traffic calming measures shall be funded as follows:

- (a) Direct Appropriation: The Town Commission, through the normal budget development process, appropriates funding for Professional Services, Contractual Services and Roads Improvements, including traffic calming.
- (b) Mobility Fee: The Town Commission, following established procedures, may designate certain mobility fees to fund authorized traffic calming projects consistent with the Town's mobility plan.
- (c) Grants and Alternative Sourced Funding: The Town shall leverage available Federal, State, and local sources of grant-based and other funding for the implementation of approved traffic calming initiatives. Potential sources include the U.S. Department of Transportation (DOT), Federal Highway Administration (FHA), Florida Department of Transportation (FDOT), and the Transportation Planning Agency (TPA) of Palm Beach County.
- (d) Special Assessments: At the request of an interested party and upon approval by the Town Commission, an application for traffic calming may be funded through special assessment to the property owners benefitting from the implementation of a traffic calming treatment. Coordination for special assessment shall be completed following established procedures and applicable Ordinances.
- (e) Private Funding: Private individuals may donate privately-sourced funding for the purpose of implementing traffic calming measures approved by the Town Commission.

Sec. 30-80. – Enforcement

All approved traffic calming applications shall be subject to the maintenance (and other) conditions associated with the approval Resolution.

Sec. 30-81. – Maintenance Responsibility

Responsibility for the maintenance of approved and constructed traffic calming devices on Town-owned roads shall rest with the Town and be managed by the Town's Public Works Department.

Sec. 30-82. — Sec. 30-99. - Reserved.

Sec. XX-XXX. Severability.

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Sec. XX-XXX. Repeal of Laws in Conflict.

All ordinances or parts of ordinances of the Town of Lake Park, Florida, which are in conflict herewith are hereby repealed to the extent of such conflict.

Sec. XX-XXX. Effective Date. This Ordinance shall take effect upon execution.