



M E C K L E N B U R G - U N I O N  
**METROPOLITAN PLANNING ORGANIZATION**

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CHARLOTTE

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NCDOT

PINEVILLE

STALLINGS

UNION  
COUNTY

WAXHAW

WEDDINGTON

WESLEY CHAPEL

WINGATE

**TO:** TCC Members  
**FROM:** Nicholas Polimeni  
MUMPO Principal Planner  
**DATE:** June 25, 2010  
**SUBJECT: Technical Coordinating Committee (TCC) Agenda  
July 2010 TCC Meeting—July 1, 2010**

The July 2010 TCC meeting is scheduled for **Thursday, July 1 at 10:00 AM** in the **Uptown Conference Room** on the 8<sup>th</sup> Floor of the Charlotte-Mecklenburg Government Center (600 East Fourth Street). Attached is a copy of the agenda.

Please call me at (704) 336-8309 if you have any questions.

**MUMPO TCC**  
**AGENDA**  
**July 1, 2010**

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**1. Consideration of June Meeting Minutes**

Bill Coxe

*ACTION REQUESTED: Approve as presented or with amendments.*

*ATTACHMENT: June TCC Meeting Minutes*

**2. Congestion Mitigation & Air Quality (CMAQ) (30 minutes)**

Bjorn Hansen

*ACTION REQUESTED: Recommend to the MPO which CMAQ projects to fund for fiscal years 2013, 2014 and 2015, based on the results of the CMAQ subcommittee ranking.*

*BACKGROUND: A CMAQ subcommittee was formed to review and rank the 29 CMAQ applications requesting funding for fiscal years 2013, 2014 and 2015. Approximately \$9.5 million is available for each of the three fiscal years. The results of the subcommittee can be found in the attached CMAQ memorandum.*

*ATTACHMENT: CMAQ Memorandum*

**3. CATS TIP Amendment (5 minutes)**

David McDonald

*ACTION REQUESTED: Recommend to the MPO approval of a TIP amendment to change the funding source of existing transit related TIP projects from local funding sources to the Urbanized Area Formula Program (Section 5307).*

*BACKGROUND: CATS is requesting an amendment to the TIP to change the funding source of existing TIP projects, including Miscellaneous Equipment (TG-4826) and Transit Service Vehicles (TG-4827), from entirely locally funded to the Urbanized Area Formula Program (Section 5307).*

**4. Monroe Parkway Status Update (20 minutes)**

Steve DeWitt

*ACTION REQUESTED: FYI*

*BACKGROUND: Update on the status of this project, including project procurement schedule, current aesthetic and design details, as well as information regarding toll collection.*

**5. Regional Transportation Planning Study Update (10 minutes)**

Rebecca Yarbrough

*ACTION REQUESTED: FYI*

*BACKGROUND: Update on the status of the study.*

**6. NCDOT Complete Streets Policy Development Update (15 minutes)**

Tracy Newsome

*ACTION REQUESTED: FYI*

*BACKGROUND: Update on the activities of the NCDOT Complete Streets Advisory Group.*

**7. Senate Bill 595** (15 minutes)

Bill Coxe

*ACTION REQUESTED: FYI*

*BACKGROUND: Discussion of Senate Bill 595, regarding pedestrian safety improvements, and; whether it's appropriate for the TCC to provide comments.*

*ATTACHMENTS: Senate Bill 595; Pedestrian Project Participation Policy*

**8. Small Project Ranking** (15 minutes)

Lauren Blackburn

*ACTION REQUESTED: FYI*

*BACKGROUND: Based on the discussion at the June TCC meeting, it was determined that a discussion of what defines a "small project" was necessary. Since that time, this item was discussed at a staff meeting in which criteria was identified to define small projects. A second staff meeting is scheduled for June 30 to continue the discussion, as well as review a list of proposed small projects. The item is on the July TCC agenda for further discussion, however; no action is expected at this time as more refinement of the small project criteria and project list is necessary.*

**9. FY 11 Unified Planning Work Program (UPWP) Update** (5 minutes)

Robert Cook

*ACTION REQUESTED: FYI*

*BACKGROUND: Update on the status of allocating approximately \$56,000 in PL funds.*

**10. Comprehensive Transportation Plan** (5 minutes)

Anil Panicker

*ACTION REQUESTED: FYI*

*BACKGROUND: Update on the status of this project.*

**11. Adjourn**

**MECKLENBURG - UNION TECHNICAL COORDINATING COMMITTEE**  
**Summary Meeting Minutes**  
**Charlotte-Mecklenburg Government Center**  
**Room 267**  
**June 3, 2010**

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**Voting Members:** Bill Coxe-Vice-chair (Huntersville), Danny Pleasant (CDOT), Jim Keenan (E&PM), Tim Gibbs – alt. for Ken Tippette (CDOT Bicycle Coordinator), Jonathan Wells – alt. for Debra Campbell (C-M Planning), David McDonald (CATS-MTC), Jack Flaherty (NCDOT-PTD), Anil Panicker (NCDOT-TPB), Andrew Grant (Cornelius), Lauren Blackburn (Davidson), Adam McLamb – alt. for Scott Kaufhold (Indian Trail), Ralph Messera (Matthews), Lee Bailey (Mint Hill), Jim Loyd – alt. for Wayne Herron (Monroe), Kevin Icard (Pineville), Shannon Martel- via phone - alt. for Brian Matthews (Stallings), Amy Helms (Union County), Greg Mahar (Waxhaw)

**Staff:** Stuart Basham (MUMPO), Robert Cook (MUMPO), Nick Polimeni (MUMPO), Tracy Newsome (CDOT), Norm Steinman (CDOT), Lisa Stiwinter (Monroe), Carroll Gray (Lake Norman Transportation Commission), Jason Wager (Centralina COG)

**Guests:** Steve Blakley (Kimley-Horn), Carl Gibilaro (PBS&J), Reid Simons (NCTA)

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TCC Vice-Chairman Bill Coxe opened the meeting at 10:00 AM. A matter regarding CSX Rail closings in Indian Trail was added, to be announced at the end of the agenda.

**1. Consideration of May Meeting Minutes**

Mr. Coxe asked if there were any changes needed to the May minutes. Mr. Coxe requested that the presentations referenced in the minutes be included as part of the minutes. Staff suggested that this could be accomplished by adding the presentations as PDF attachments, to be accessed on the MUMPO website along with the minutes. The minutes were adopted by acclamation.

**2. CMAQ Update**

Presenter: Jason Wager, Centralina COG

Summary/FYI:

Mr. Wager stated that 29 CMAQ project applications had been submitted, which will be reviewed and ranked by the subcommittee. He stated the names of all the subcommittee members, and briefly explained the breakdown of the review process. Mr. Wager also noted that the first subcommittee meeting would take place the following week, with the goal being to present the results of the subcommittee meeting(s) to the TCC at its July meeting.

**3. NCDOT Complete Streets Policy Development Update**

Presenter: Tracy Newsome, CDOT

Summary/FYI:

Ms. Newsome provided an update to the TCC regarding the Complete Streets Policy Development advisory group, stating that a consultant was selected to assist with the development of the policy. She stated that the consultant will be responsible for coordinating data analysis and public involvement, among other things. A very preliminary draft schedule was presented, and Ms.

Newsome indicated that a stakeholder list is being developed. Finally, Ms. Newsome announced that the advisory group would be meeting in Charlotte on June 22 and taking a tour to see various sites around the city. She mentioned that on June 23, the advisory group would like to meet with TCC members. Jonathan Wells asked if TCC members could suggest locations for the advisory group tour in Charlotte. Bill Coxe then asked if TCC members could attend the advisory group meeting on June 22. Ms. Newsome responded affirmatively to both requests and indicated that she would be sending more detailed information to the TCC regarding the advisory group meetings. Danny Pleasant emphasized the importance of the project, and the need for the TCC to get involved with the process.

#### **4. Small Project Ranking**

Presenter: Lauren Blackburn, Town of Davidson

##### Summary/FYI:

Ms. Blackburn summarized what took place at the education session prior to the May 19 MPO meeting. She stated that the next step is to discuss criteria to define small projects and create a list to present to the MPO. Bill Coxe questioned if it was too soon to create a list. He suggested that the MPO might need a better understanding of the implementation process for transportation projects, and mentioned that it might be a good topic for the education session prior to the July MPO meeting. It was concluded that the small project criteria would be discussed at the next transportation staff meeting.

#### **5. Monroe Parkway Status Update**

Presenter: Carl Gibilaro, PBS&J

##### Summary/FYI:

Mr. Gibilaro reported on the following:

- The Final Environmental Impact Statement (FEIS) is complete and was signed on May 25.
- The FEIS was sent to the FHWA for their review in order to get the Record of Decision (ROD) signed as soon as possible.
- The NCTA has requested proposals from three firms for a Design/Build contract.
- A workshop will be held in June for Indian Trail business owners to discuss the impacts of the project.
- A presentation is scheduled for the July TCC meeting regarding the Design/Build procurement, as well as the transponder that was chosen.

Mr. Gibilaro brought copies of the signed FEIS to distribute to members of the TCC, and indicated that he didn't have enough for everyone that day, but that everyone would receive a copy when they are all printed.

Reid Simons, with the NCTA, stated that there is no delay in the bond financing associated with the project, and any reports to the contrary are misinformation.

#### **6. Unified Planning Work Program (UPWP) Update**

Presenter: Robert Cook

##### Summary/FYI:

Mr. Cook reminded the TCC that the final FY 11 Planning (PL) fund amount was not provided until the day before the May TCC meeting, and that the amount was almost \$100,000 more than the figure being used to develop the UPWP. He noted that some of the additional funds were allocated to travel demand model tasks to make up for a reduction in FY 11 Section 5303 funds, but that there was insufficient time to program the rest of the funds. For that reason, MUMPO must amend the FY 11

UPWP to allocate the balance (approximately \$56,000). Mr. Cook stated that there was a possibility of doing so at the July meetings and that discussions will take place at the Wednesday staff meetings.

## **7. Comprehensive Transportation Plan (CTP)**

Presenter: Anil Panicker, NCDOT

### Summary / FYI:

Mr. Panicker reported that base maps were still being worked on. He informed the TCC that while the base maps are being completed, he would like to discuss with the subcommittee the bicycle and pedestrian maps that will also be part of the CTP. He stated that he would be sending out a meeting notice to the subcommittee to begin that discussion.

The following items were briefly discussed prior to the adjournment of the meeting:

- CSX Rail Closings – Adam McLamb, representing Indian Trail, stated that two main RR crossings of the CSX rail line in Indian Trail would be closed for repairs for several days in June.
- July Meeting Date – Mr. Coxe asked if everyone is ok with the July 1 TCC meeting date. No one indicated a conflict, so it was decided that the meeting will be held on Thursday, July 1.

Bill Coxe announced that Julie Clark, with Mecklenburg Park & Recreation, will be leaving. He recognized her many efforts and stated that she will be greatly missed.

**8. Adjourn:** The meeting was adjourned at 11:05 PM.



## MEMORANDUM

**To:** Robert W. Cook, AICP

**From:** Jason Wager, AICP

**Date:** June 25, 2010

**Re:** Congestion Mitigation and Air Quality (CMAQ) Project Ranking – for Fiscal Years 2013, 2014 and 2015

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I am pleased to submit to you the recommendation of MUMPO's CMAQ Project Selection Sub-committee. Enclosed with this memo is a summary of the twenty-nine (29) projects received in response to your recent request for submittals along with the points assigned to each by the Sub-committee. Upon review by MUMPO's Technical Coordinating Committee the following action is requested:

*Recommend to the MPO which CMAQ projects to fund for fiscal years 2013, 2014 and 2015, based on the results of the CMAQ subcommittee ranking.*

**BACKGROUND:** In July 2008 MUMPO assigned a CMAQ subcommittee with the task of developing criteria to recommend projects to the MUMPO based on a comprehensive and technically-oriented project ranking process. Such a process was developed and subsequently adopted by MUMPO in the fall of 2008.

Using this project ranking criteria (that was made available to all applicants), review of applications and discussions of point assignments were undertaken by the Sub-committee. The Sub-committee is made up of air quality and transportation professionals from the MUMPO region and is listed here.

Name	Organization
Eldewins Haynes	CDOT
Leslie Rhodes	MCAQ
Ann Lorscheider	NCDOT
Anil Panicker	NCDOT-Urban Area Coordinator
David McDonald	CATS
Anna Gallup	CDOT
Scott Kaufhold/Adam McLamb	Town of Indian Trail
Richard Hancock/Tim Boland	NCDOT Division 10
Nick Polimeni/Bob Cook	MUMPO Staff
Jason Wager	Centralina COG/Chair

REVIEW PROCESS AND HIGHLIGHTS: The Sub-committee reviewed proposals in advance of the first meeting and came prepared to score the projects based on the criteria. Prior to beginning the scoring, the Sub-committee disclosed potential conflicts of interest with the project submittals and decided that individuals tied to projects could not directly contribute to point deliberations during the review process when related to a project they were affiliated with.

Sub-committee members proceeded to rank all projects, however, did make a point to ensure that all criteria were being reviewed by all members in a uniform manner (e.g.- “Transportation Impact” and “Applicant Financial Commitment”) to ensure fair scoring. Furthermore, Sub-committee members declared concerns with assumptions by specific applicant organizations or modes (e.g.-average travel distance for greenways) and would adjust pollution reduction calculations and thus, point calculations, accordingly. Ultimately, the Sub-committee arrived with a ranking by total points. To settle “ties”, the group further agreed to promote those with combined greater lifetime pollutant reductions and lower costs per kg.

The attached recommended project table and scoring lists the results of these discussions over the course of two subcommittee meetings on June 7<sup>th</sup> and 14<sup>th</sup> 2010. A “key” to show which projects are recommended as requested by the applicant, recommended but modified from what was requested (e.g.- later FY for funding), and those falling outside available funding is included with the table.

Bjorn Hansen, Centralina Transportation Program Coordinator, will be in attendance at the TCC’s July 1, 2010 meeting to present this information and address any questions or concerns. Should the TCC make a recommendation at this meeting, the information will be taken before MUMPO at its July 21, 2010 meeting.

**Enclosure** *(Recommended Project Table and Scoring)*



**MUMPO 2010 CMAQ Sub-committee Proposal Rankings for FY's 2013, 2014, & 2015**      **MUMPO CMAQ Candidate Projects 2010 Call for Projects**

ID #	Cmte Rank	Type	Project	Agency	Total CMAQ funds for project	Requested FY 13 CMAQ funds	Recommended FY 13 CMAQ funds	Requested FY 14 CMAQ funds	Recommended FY 14 CMAQ funds	Requested FY 15 CMAQ funds	Recommended FY 15 CMAQ funds	Total Funds for Project	Local Match funds Total	%	TOTAL POINTS
24	1	Diesel Retrofits	GRADE-Grants to Reduce Aging Diesel Engines	Mecklenburg County-Air Quality	\$ 500,000	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ -	\$ -	\$ 648,508	\$ 125,000	20.0%	75
1	2	Transit Improvements	Hybrid-Electric Transit Bus Purchase	CATS	\$ 6,384,000	\$ 2,128,000	\$ 2,128,000	\$ 2,128,000	\$ 2,128,000	\$ 2,128,000	\$ 2,128,000	\$ 7,980,000	\$ 1,596,000	20.0%	65
4	3	Transit Improvements	NC 51 Bus Service	CATS	\$ 1,941,500	\$ 1,356,500	\$ 1,356,500	\$ 292,500	\$ 292,500	\$ 292,500	\$ 292,500	\$ 3,085,000	\$ 1,143,500	37.1%	57
5	4	Transit Improvements	Park & Ride Lot Construction	CATS	\$ 4,000,000	\$ 1,040,000	\$ 1,040,000	\$ 560,000	\$ 560,000	\$ 2,400,000	\$ 2,400,000	\$ 5,000,000	\$ 1,000,000	20.0%	50
2	5	Transit Improvements	Harrisburg Road Express	CATS	\$ 292,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 585,000	\$ 292,500	50.0%	50
3	6	Transit Improvements	Highland Creek Express	CATS	\$ 292,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 97,500	\$ 585,000	\$ 292,500	50.0%	50
23	7	Congestion Relief, Transit Improvement	I-77 North HOT (High Occupancy/Toll) Lanes	Town of Huntersville/NCDOT	\$ 5,000,000	\$ 5,000,000	\$ -	\$ -	\$ 1,530,273	\$ -	\$ 3,469,727	\$ 50,000,000	\$45,000,000	90.0%	47
12	8	Bicycle/Pedestrian Facilities & Program	Sidewalk-Tryon St	Charlotte Department of Transportation	\$ 1,750,000	\$ 1,750,000	\$ 1,750,000	\$ -	\$ -	\$ -	\$ -	\$ 3,500,000	\$ 1,750,000	50.0%	47
28	9	Bicycle/Pedestrian Facilities & Program	Barton Creek Greenway	Mecklenburg County-Park & Recreation	\$ 917,600	\$ -	\$ -	\$ -	\$ -	\$ 917,600	\$ 917,600	\$ 1,147,000	\$ 229,400	20.0%	45
17	10	Congestion Relief & Traffic Flow Improvement	Shopton Road /Beam Road Roundabout	Charlotte Department of Transportation	\$ 1,125,000	\$ 1,125,000	\$ 1,125,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 375,000	25.0%	45
16	11	Congestion Relief & Traffic Flow Improvement	Intersection Imp-Ballantyne Commons Pkwy/McKee	Charlotte Department of Transportation	\$ 1,111,900	\$ 370,633	\$ 370,633	\$ 370,633	\$ 370,633	\$ 370,633	\$ 370,633	\$ 1,484,900	\$ 373,000	25.1%	45
11	12	Bicycle/Pedestrian Facilities & Program	Sidewalk-Providence Road	Charlotte Department of Transportation	\$ 750,000	\$ -	\$ -	\$ 750,000	\$ 750,000	\$ -	\$ -	\$ 1,075,000	\$ 325,000	30.2%	44
10	13	Bicycle/Pedestrian Facilities & Program	Sidewalk-Nevin Gibbon	Charlotte Department of Transportation	\$ 993,000	\$ 993,000	\$ 911,501	\$ -	\$ 81,499	\$ -	\$ -	\$ 1,324,000	\$ 331,000	25.0%	44
13	14	Bicycle/Pedestrian Facilities & Program	Sidewalk-Sunset Road	Charlotte Department of Transportation	\$ 1,385,010	\$ 1,385,010	\$ -	\$ -	\$ 1,385,010	\$ -	\$ -	\$ 1,846,680	\$ 461,670	25.0%	44
9	15	Bicycle/Pedestrian Facilities & Program	Sidewalk-Graham St	Charlotte Department of Transportation	\$ 187,500	\$ 187,500	\$ -	\$ -	\$ 187,500	\$ -	\$ -	\$ 250,000	\$ 62,500	25.0%	44
15	16	Congestion Relief & Traffic Flow Improvement	Intersection Improvement-NC 16 (Brookshire Blvd.)	Charlotte Department of Transportation	\$ 1,395,000	\$ 1,395,000	\$ -	\$ -	\$ 1,395,000	\$ -	\$ -	\$ 1,860,000	\$ 465,000	25.0%	41
18	17	Congestion Relief & Traffic Flow Improvement	Tuckaseegee/Berryhill/Thrift Road Traffic Circle	Charlotte-Mecklenburg Planning Dept	\$ 2,100,000	\$ 2,100,000	\$ -	\$ -	\$ 728,508	\$ -	\$ -	\$ 2,800,000	\$ 700,000	25.0%	41
19	18	Transportation Control Measures; Bicycle	UNCC-City Boulevard (Hwy 49) Multi-use path	Charlotte-Mecklenburg Planning Dept	\$ 1,125,000	\$ 1,125,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 375,000	25.0%	37
22	19	Congestion Relief & Traffic Flow Improvement	Potts-Sloan Connector	Town of Davidson	\$ 810,000	\$ -	\$ -	\$ -	\$ -	\$ 810,000	\$ -	\$ 1,080,000	\$ 270,000	25.0%	36
26	21	Bicycle/Pedestrian Facilities & Program	McDowell Creek Greenway	Mecklenburg County-Park & Recreation	\$ 1,840,000	\$ -	\$ -	\$ 1,840,000	\$ -	\$ -	\$ -	\$ 2,300,000	\$ 460,000	20.0%	35
25	20	Bicycle/Pedestrian Facilities & Program	McAlpine Creek Greenway	Mecklenburg County-Park & Recreation	\$ 1,013,600	\$ 1,013,600	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,267,000	\$ 253,400	20.0%	35
27	22	Bicycle/Pedestrian Facilities & Program	South Prong Rocky River Greenway	Mecklenburg County-Park & Recreation	\$ 828,000	\$ -	\$ -	\$ 828,000	\$ -	\$ -	\$ -	\$ 1,035,000	\$ 207,000	20.0%	35
20	23	Congestion Relief & Traffic Flow Improvement	Intersection Improvement-Torrence Chapel Road &	Town of Cornelius	\$ 288,680	\$ 288,680	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 365,680	\$ 77,000	21.1%	35
29	24	Bicycle/Pedestrian Facilities & Program	Irwins Creek Greenway	Mecklenburg County-Park & Recreation	\$ 2,028,000	\$ 2,028,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,535,000	\$ 507,000	20.0%	35
6	25	TCM; TDM; Bicycle/Pedestrian Facilities	9th St Pedestrian Bridge	Charlotte Department of Transportation	\$ 2,400,000	\$ 800,000	\$ -	\$ 800,000	\$ -	\$ 800,000	\$ -	\$ 3,000,000	\$ 600,000	20.0%	35
14	26	TCM; TDM; Congestion Relief & Traffic	Parking Pay Stations	Charlotte Department of Transportation	\$ 139,265	\$ 46,422	\$ -	\$ 46,422	\$ -	\$ 46,422	\$ -	\$ 174,081	\$ 34,816	20.0%	35
7	27	TCM; TDM; Congestion Relief & Traffic	Cash for Commuters	Charlotte Department of Transportation	\$ 5,184,000	\$ 1,728,000	\$ -	\$ 1,728,000	\$ -	\$ 1,728,000	\$ -	\$ 6,480,000	\$ 1,296,000	20.0%	30
8	28	TCM; TDM; Bicycle/Pedestrian Facilities	Drive Less Charlotte	Charlotte Department of Transportation	\$ 2,991,000	\$ 997,000	\$ -	\$ 997,000	\$ -	\$ 997,000	\$ -	\$ 3,738,000	\$ 747,000	20.0%	30
21	29	Congestion Relief & Traffic Flow Improvement	US 21 & Catawba Ave-Intersection Relocation	Town of Cornelius	\$ 2,095,000	\$ 2,095,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,652,000	\$ 557,000	21.0%	19

\$50,891,563      \$29,647,345      \$10,535,555      \$10,685,155      \$110,797,849      \$59,906,286      54.1%

<b>Percent of Total CMAQ Request:</b>	<b>59.9%</b>		<b>21.3%</b>		<b>21.6%</b>	
	<b>FY 13</b>	<b>FY 13-Recommended</b>	<b>FY14</b>	<b>FY14-Recommended</b>	<b>FY15</b>	<b>FY15-Recommended</b>
<b>TOTAL AVAILABLE: \$28,754,018</b>	\$ 9,376,634	\$ 9,376,634	\$ 9,603,924	\$ 9,603,924	\$ 9,773,460	\$ 9,773,460

**Key:**

Recommended As Requested
Recommended w/ Modification
Recommended w/ Modification-not full request
Not Recommended

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 595  
Health Care Committee Substitute Adopted 5/13/09  
Third Edition Engrossed 5/14/09  
House Committee Substitute Favorable 6/4/09  
House Committee Substitute #2 Favorable 6/15/10

Short Title: Pedestrian Safety Improvements.

(Public)

Sponsors:

Referred to:

March 16, 2009

A BILL TO BE ENTITLED

AN ACT TO REQUIRE THE DEPARTMENT OF TRANSPORTATION TO ACCEPT AND  
USE MUNICIPAL FUNDING FOR PEDESTRIAN SAFETY IMPROVEMENTS ON  
STATE ROADS WITHIN MUNICIPAL LIMITS.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 136-66.3 is amended by adding a new subsection to read:

"(c4) Pedestrian Safety Improvements. – The Department of Transportation shall accept and use any funding provided by a municipal government for a pedestrian safety improvement project on a State road within the municipality's limits, provided the municipality funds one hundred percent (100%) of the project and the Department of Transportation retains the right to approve the design and oversee the construction, erection, or installation of the pedestrian safety improvement."

**SECTION 2.** This act becomes effective July 1, 2010.



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## CHAPTER TWENTY-EIGHT

## SIDEWALKS

## PEDESTRIAN POLICY GUIDELINES

## SIDEWALK LOCATIONS

## ROADWAY POLICY ONE

POLICY STATEMENT:

"It is the policy of the Department of Transportation to replace existing sidewalks disturbed as a result of a highway improvement. In addition, the Department of Transportation is authorized to construct new sidewalks adjacent to State highway improvement projects at the request of the municipality provided the municipality agrees to reimburse the Department of Transportation for the actual construction cost of the sidewalks. Maintenance of sidewalks will be the responsibility of the municipality."

BACKGROUND:

General Update, 3/19/99.

Pedestrian Policy Guidelines, dated October 1, 2000.

General update, 4/16/01

PURPOSE:

To provide statewide uniformity in the construction of sidewalks on roadway projects.

RESPONSIBILITY AND PROCEDURES:**EXECUTIVE SUMMARY**

These guidelines provide an updated procedure for implementing the Pedestrian Policy adopted by the Board of Transportation in August 1993 and the Board of Transportation Resolution September 8, 2000. The resolution reaffirms the Department's commitment to improving conditions for bicycling and walking, and recognizes non-motorized modes of transportation as critical elements of the local, regional, and national transportation system. The resolution encourages North Carolina cities and towns to make bicycling and pedestrian improvements an integral part of their transportation planning and programming.

The Pedestrian Policy addresses TIP projects and makes an important distinction between “considering the needs of pedestrians to avoid creating hazards to pedestrian movements” and the concept of “facilitating pedestrian movements for other reasons.”

## **HAZARDS**

A hazard in this context is defined as a situation when pedestrian movements are physically blocked in a manner which forces pedestrians to use another mode of transportation or walk in an automobile traffic lane (parallel with the automobile traffic) to pass a barrier. The concept of “not creating a hazard” is intended to allow municipalities to have the flexibility to add pedestrian facilities as a part of the project, or in the future after the TIP project is complete. Our current standard cross sections generally do not create barriers for pedestrian movements.

## **PREVENTING HAZARDS**

If there is evidence that a TIP project would create a hazard to existing pedestrian movements, the DOT will take the initiative to not create the hazard. However, if there is not evidence that a TIP project would create a hazard to existing pedestrian movements, the municipality will need to prove there will be pedestrian movements which will be affected within five years by the hazard created by the TIP project.

## **QUALIFYING THE NEED FOR PEDESTRIAN FACILITIES**

Planning studies should evaluate the need for pedestrian facilities based on the degree to which the following criteria are met.

1. Local Pedestrian Policy
2. Local Government Commitment
3. Continuity and Integration
4. Location
5. Generators
6. Safety
7. Existing or Projected Pedestrian Traffic

## **REQUIREMENTS FOR DOT FUNDING:**

### **REPLACING EXISTING SIDEWALKS**

The DOT will pay 100% of the cost to replace an existing sidewalk which is removed to facilitate the widening of a road.

TIP INCIDENTAL PROJECTS

**DEFINED:** Incidental pedestrian projects are defined as TIP projects where pedestrian facilities are included as part of the roadway project.

REQUIREMENTS:

The municipality and/or county notifies the Department in writing of its desire for the Department to incorporate pedestrian facilities into project planning and design. Notification states the party's commitment to participate in the cost of the facility as well as being responsible for all maintenance and liability. Responsibilities are defined by agreement. Execution is required prior to contract let.

The municipality is responsible for evaluating the need for the facility (ie: generators, safety, continuity, integration, existing or projected traffic) and public involvement.

Written notification must be received by the **Project Final Field Inspection (FFI) date**. Notification should be sent to the Deputy Highway Administrator–Preconstruction with a copy to the Project Engineer and the Agreements Section of the Program Development Branch. Requests received after the project FFI date will be incorporated into the TIP project, if feasible, and only if the requesting party commits by agreement to pay 100% of the cost of the facility.

Due to the technical difficulty of describing justification for pedestrian facilities, the committee chose a cost sharing approach to provide cost containment for the pedestrian facilities. The DOT may share the incremental cost of constructing the pedestrian facilities if the “intent of the criteria” are met. Only improvements that have a sidewalk adjacent to it will be included in the total project construction cost. Additionally, the cost of bridges will be funded entirely by the DOT. This total project construction cost does not include the construction cost of any incidental pedestrian facilities. A cost sharing approach is used to demonstrate the Department's and the municipality's/county's commitment to pedestrian transportation (sidewalks, multi-use trails and greenways). The matching share is a sliding scale based on population as follows:

MUNICIPAL POPULATION	PARTICIPATION	
	DOT	LOCAL
> 100,000	50%	50%
50,000 to 100,000	60%	40%
10,000 to 50,000	70%	30%
< 10,000	80%	20%

Note: The cost of bridges will not be included in the shared cost of the pedestrian installation if the Department is funding the installation under provision 6 – pedestrian facilities on bridges.

### FUNDING CAPS

Funding caps are no longer applicable.

### INDEPENDENT PROJECTS

DEFINED: The DOT has a separate category of funds for all independent pedestrian facility projects in North Carolina where installation is unrelated to a TIP roadway project. An independent pedestrian facility project will be administered in accordance with Enhancement Program Guidelines.

### RIGHT-OF-WAY

The Department will review the feasibility of including the facility in our project and will try to accommodate all requests where the Department has acquired appropriate right of way on curb and gutter sections and the facility can be installed in the current project berm width. The standard project section is a 10-ft. (3.0-meter) that accommodates a 5-ft sidewalk. In accordance with AASHTO standards, the Department will construct 5-ft sidewalks with wheelchair ramps. Betterment cost (ie: decorative pavers) will be a Municipal responsibility.

If the facility is not contained within the project berm width, the Municipality is responsible for providing the right of way and/or construction easements as well as utility relocations, at no cost to the Department. This provision is applicable to all pedestrian facilities including multi-use trails and greenways.

### MAINTENANCE

Local governments will be responsible for maintaining all pedestrian facilities.

## INTRODUCTION

These guidelines provide a procedure for implementing the Pedestrian Policy adopted by the Board of Transportation in August 1993 and the Board of Transportation Resolution September 8, 2000. The Pedestrian Policy addresses TIP projects and makes an important distinction between “considering the needs of pedestrians to avoid creating hazards to pedestrian movements” and the concept of “facilitating pedestrian movements for other reasons.” Consequently, these guidelines are divided into three main sections:

- 1) Considering the needs of pedestrians to avoid creating hazards.
- 2) Quantifying the need for pedestrian facilities.
- 3) Requirements for DOT funding.

### CONSIDERING THE NEEDS OF PEDESTRIANS TO AVOID CREATING HAZARDS

Section “d” of the Pedestrian Policy states: *“In the planning, design and construction of TIP transportation projects, the DOT shall consider the needs of pedestrians and will not create hazards to pedestrian movements.”* This means that during each phase of a project, a DOT employee should consider how the project will affect pedestrian movements. If the project will create a hazard to pedestrian movement, the DOT should use engineering judgment and find a way to remove the hazard. A hazard in this context is defined as a situation when pedestrian movements are physically blocked in a manner which forces pedestrians to use another mode of transportation, or walk in an automobile traffic lane (parallel with the automobile traffic) to pass as a barrier.

This does not mean that the DOT should build pedestrian facilities on all TIP projects. However, it does mean that the DOT should consider how projects will affect pedestrians and how projects can be designed to accommodate vehicular demands without creating barriers to pedestrians. Hazards can be divided into two categories, lateral barriers and perpendicular barriers. Lateral barriers prevent pedestrians from traveling parallel to the roadway. Perpendicular barriers prevent pedestrians from crossing a roadway.

The concept of “not creating a hazard” is intended to allow municipalities to have the flexibility to add pedestrian facilities as part of the project or in the future after the TIP

project is complete. Because bridges are so expensive and because they often have useful lives over fifty years, bridges should be given special consideration when pedestrian travel is anticipated.

## **BRIDGES**

Current standard cross sections generally do not create barriers for pedestrian movements. For bridges on streets with shoulder approaches, a minimum shoulder may be sufficient to “not create a hazard for pedestrian movements” over or under the bridge. For bridges on streets with curb and gutter approaches, the Department will fund and construct sidewalks on both sides of the bridge facility if the bridge is less than 200 feet in length. If the bridge is greater than 200 feet in length, the Department will fund and construct a sidewalk on one side of the bridge structure. The bridge will also be studied to determine the costs and benefits of constructing sidewalks on both sides of the structure. If in the judgement of the Department, sidewalks on both sides are justified, then they will be funded and constructed. For dual bridges less than 200 feet in length with a curb and gutter approach, sidewalks will be constructed on the outside of each bridge structure. If the dual bridges are greater than 200 feet in length, then a sidewalk on the outside of one bridge will automatically be funded and constructed. The bridges will also be studied to determine the costs and benefits of constructing sidewalks on the outside of both bridges and if the judgements of the Department, sidewalks on both bridges are justified, then they will be funded and constructed.

## **SHOULDER CROSS SECTIONS**

Currently, there is no typical cross section for a rural road with a shoulder, and a pedestrian facility which is outside the ditch. However, when a rural road with a shoulder section has a pedestrian facility outside of the ditch, the ditch will not be considered a perpendicular barrier. Similarly, as long as there is some space where pedestrians can walk which is not in an automobile travel lane, the ditch will not be considered a lateral barrier either.

## **WIDENING PROJECTS**

If a TIP project widens a road from 2 lanes to 5 lanes, the new 5-lane road is not considered a perpendicular barrier. Similarly, as long as there is some space where pedestrian can walk which is not in an automobile travel lane, the new 5-lane road is not considered a lateral barrier either.

## **RELOCATING PEDESTRIAN MOVEMENTS**

This policy is not intended to require a pedestrian bridge or tunnel at interchanges where sidewalks and crosswalks are not practical. In these cases, the DOT may consider relocating the pedestrian movement to avoid creating unsafe situations or making



unpracticed design modifications. Typically, relocated pedestrian movements should be no more than 800 meters (0.5 miles) away from the original path of the pedestrians. The 800 meter distance is a one way distance, not a round trip distance.

## **CONSTRUCTION PROCESS**

During the construction phase of a project, there may be times when it is not possible to maintain all pedestrian movements through the entire construction process. When necessary, there may be temporary barriers to pedestrian movements in the work zone.

## **EXAMPLE**

For example, the “XYZ” Expressway is a new controlled-access freeway through an established urban area. A major thoroughfare with sidewalks which will have a new interchange with the Expressway, connects a neighborhood on the north side of the Expressway with a hospital on the south side of the Expressway. Because the proposed interchange for the major thoroughfare is a Single-Point-Diamond design with free-flowing ramps in all four quadrants, there is no safe way for a pedestrian to cross the Expressway without conflicting with free-flowing traffic. Although there is a nearby railroad bridge over the Expressway, pedestrians are prohibited from that bridge because it was not designed to accommodate both trains and pedestrians. Consequently, residents who live in a neighborhood a few blocks from the hospital will now need to drive to the hospital or walk through a free-flowing traffic lane.

In this example the design engineer should make every reasonable effort to design this interchange to accommodate the automobile traffic, and not create a barrier for pedestrian movements. If the interchange design requires free-flow ramps as this Single-Point-Diamond design does, the engineer should determine if it is possible for pedestrians to cross the free-flow traffic lanes. If the peak hour traffic flow has acceptable gaps to allow pedestrians to cross safely, the ramps will not be considered a barrier. However, if traffic volumes or pedestrian volumes are too great, an alternative pedestrian facility should be considered. If accommodating pedestrians at the interchange will compromise safety or good engineering judgment, the engineer should consider if shifting the pedestrian movement away from the interchange is a feasible alternative.

## **QUANTIFYING THE NEED FOR PEDESTRIAN FACILITIES**

Section “e” of the Pedestrian Policy states: *“The Department recognizes there are certain situations in which pedestrian facilities provide significant benefits in the movement of pedestrian traffic...”*. If a municipality would like the DOT to consider a project for “significant benefits,” the municipality is responsible for collecting any necessary information and submitting a written request prior to the initiation of a planning study. The

DOT will review the request and, if necessary, verify the data from the municipality. If pedestrian facilities are not incorporated into a project during the planning phase, and if there are significant factors which change during the time between the project planning study and the project design phase, municipalities may resubmit a request for pedestrian facilities prior to or at the post hearing meeting for the Design Public Hearing or Combined Hearing (whichever is applicable). The costs of sidewalks added to a project after the post hearing meeting for the Design Public Hearing or Combined Hearing will be the responsibility of the municipality. The Manager of the Programming and TIP Branch may allow DOT participation and sidewalk construction cost after the post hearing meeting if there is sufficient justification.

Planning studies should evaluate the need for pedestrian facilities based on the degree which allow the following seven criteria to be met. Municipalities should address each of these criteria when submitting requests for pedestrian facilities. Subsequently, the DOT will make the final determination for pedestrian facility eligibility.

**1. Local Pedestrian Policy.** There is evidence that local policies on urban development are encouraging urban densities and residential developments to occur in a manner to facilitate pedestrian travel by reducing walking distances, and requiring sidewalk construction in development ordinances.

- Is a pedestrian plan included in local thoroughfare plan?
- Do subdivision ordinances require pedestrian facility construction?
- Do local zoning ordinances facilitate pedestrian travel?  
(For example, do the zoning ordinances encourage mixed-use developments which are accessible to pedestrians or do the zoning ordinances encourage highway strip development which is not accessible to pedestrians?)

**2. Local Government or Local Sponsor Commitment.** There is a local government/sponsor plan and commitment to provide an integrated system of pedestrian facilities which will connect with pedestrian facilities provided by the project.

- Does the local Capital Improvement Program include local funds for providing pedestrian facilities which will connect with pedestrian facilities provided by the NC TIP project?
- How many pedestrian facilities currently connect with the pedestrian facilities provided by the project?
- How many subdivisions have provided pedestrian facilities which are or will be connected with pedestrian facilities provided by the project?
- Has a responsible local government agency agreed in writing to maintain the

pedestrian facility?

3. **Continuity and Integration.** The project provides a connection to an existing or a proposed pedestrian network and will provide a critical link in the network.

- Is the project a critical link in an existing network?  
(For example, will this project provide a missing link in an existing network where there are pedestrian facilities extending beyond the length of this project?)
- Is the project a critical link in a proposed network?  
(For example, will this project provide any link in a proposed network where there will be pedestrian facilities extending beyond the length of this project?)

4. **Location.** The project is located within a Census defined urban area or growth area where development is anticipated in the immediate future; a majority of the properties within walking distance of the project are developed, or projected to be developed within 5 years at urban type residential densities. This five year period will begin at the completion of the appropriate environmental document.

- Is the project located in a Census defined urban area?
- Is the project located in a growth area (Urbanized Area Boundary) where development is anticipated in the immediate future, but is not in a Census defined urban area?
- Are a majority of the properties within walking distance of the project developed, or projected to be developed within 5 years at urban type residential densities (a minimum of 1 dwelling unit per acre)?

5. **Generators.** The project serves as a primary access from one or more of the following to another:

- -day care, elementary or secondary school
- -college or university
- -community facility (such as a library or park)
- -public transportation
- -commercial, office, industry, or business centers
- -residential areas
- -Will any of these land-uses within two kilometers (1.2 miles) of the project use this project as a primary access?

6. **Safety.** The project provides demonstrable safety benefits for pedestrians.

- Will the pedestrian facility separate pedestrians from automobile traffic with a posted speed greater than 80 kilometers per hour (50 miles per hour)?
- Will the pedestrian facility be used by children (0-14), elderly (65+), handicapped, or low-income people?
- Will the pedestrian facility reduce potential pedestrian-vehicle conflicts?
- Will the pedestrian facility reduce potential identified safety needs of the area?

7. **Existing or Projected Traffic.** Continued, sustained pedestrian travel can be shown by any of the following:

- Evidence of existing usage such as well worn paths.
- Projected usage based on previous experience with similar facilities.
- Minimum of 150 pedestrians per 24 hour period along a corridor planned for the project.

## REQUIREMENTS FOR DOT FUNDING

### REPLACING EXISTING SIDEWALKS

Section “b” of the Pedestrian Policy states: *“When a highway construction project having to do with the widening of an existing street requires that an existing sidewalk be torn up to make room for the widening, it is the policy of the Department of Transportation to replace the sidewalk.”* This statement says the DOT will pay 100% of the cost to replace an existing sidewalk which is removed to make room for a widening project. There is no monetary cap for this category of funding pedestrian facilities.

### PREVENTING HAZARDS

Section “d” of the Pedestrian Policy states: *“In the planning, design, and construction of TIP transportation projects, the DOT shall consider the needs of pedestrians and will not create hazards to pedestrian movements.”* If there is evidence that a TIP project would create a hazard to existing pedestrian movements, the DOT will take the initiative to not create the hazard. However, if there is evidence that a TIP project would create a hazard to existing pedestrian movements, the municipality will need to prove there will be pedestrian movements which will be affected within five years by the hazard created by the TIP project. The five year period will begin at the completion of the appropriate environmental document (Categorical Exclusion, Finding of No Significant Impact, or Environmental Impact Statement).

**CERTAIN SITUATIONS**

Section “e” of the Pedestrian Policy states: *“The Department recognizes there are certain situations in which pedestrian facilities provide significant benefits in the movement of pedestrian traffic. The Department of Transportation may participate in the provision of these facilities on a full or shared-cost basis.”* This statement says the DOT may participate in funding incidental projects, and independent projects as described below.

INCIDENTAL PROJECTS

Incidental pedestrian projects are defined as TIP projects where pedestrian facilities are included as part of the project. The DOT may share the incremental cost of constructing the pedestrian facilities if the “intent of the criteria” are met, and the request for DOT participation is made prior to or at the post hearing meeting for the Design Public Hearing. Only improvements that have a sidewalk adjacent to it will be included in the total project construction cost. Additionally, the cost of bridges will not be included in the total project construction cost since the provision of pedestrian facilities on bridges will be funded entirely by the DOT. This total project construction cost does not include the construction cost of any incidental pedestrian facilities. The matching share is a sliding scale based on population as follows:

MUNICIPAL POPULATION	PARTICIPATION	
	DOT	LOCAL
> 100,000	50%	50%
50,000 to 100,000	60%	40%
10,000 to 50,000	70%	30%
< 10,000	80%	20%

The local government share of the pedestrian facility construction funding may not be Federal or State money for the purposed of these guidelines. In addition, the right-of-way municipalities provided for pedestrian projects may not be counted toward the required local contribution.

EXAMPLE

A 10 mile project proposes to widen an existing two lane road to a five lane curb and gutter roadway. Four miles of the project is within the city limits and there are no existing sidewalks. The city requests that sidewalk be included on one side on 2 miles of the project that falls within the city boundaries. The DOT concurs that the sidewalk is warranted and it added to the project. The city population is 75,000.

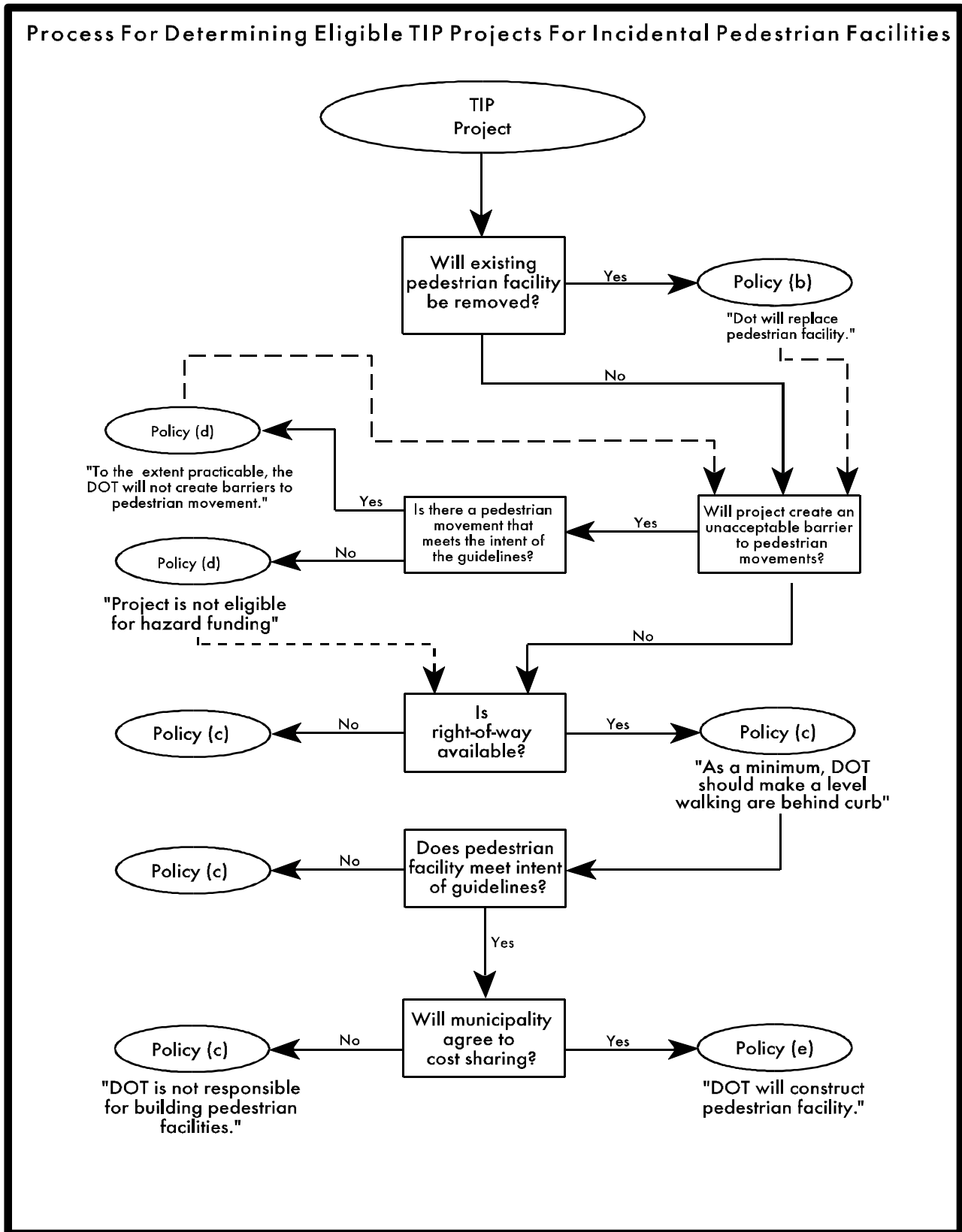
To determine the contribution by the DOT and by the city, the “total project construction cost”, for purposes of determining participation, must be calculated. Costs are included only if the construction occurs within municipal boundaries and a requested sidewalk is adjacent to the roadway. Additionally, the cost of bridges is excluded from the cost. Therefore, the “total project construction cost” will be the cost of improvements for 2 miles of the project. DOT estimates that it will cost \$5 million to construct the 2 miles of improvements, not including the cost of the sidewalks or bridges. It is estimated that the sidewalk will cost \$170,000 to construct. DOT’s share would be 60% of \$170,000 or \$102,000. The city’s share would be \$68,000.

INDEPENDENT PROJECTS

Independent pedestrian projects are defined as projects where pedestrian facilities are the entire project. The DOT will have a separate category of money for all independent pedestrian facility projects in North Carolina. The independent pedestrian facility funds will be administered similar to the Bicycle Program. Municipalities will prioritize their requests under the enhancements section of the local request list, and the DOT will fund as many projects as funding will allow.

**GENERAL INFORMATION**

The attached flow chart illustrates the decision process for a project engineer. In addition, the funding caps, right-of-way and maintenance requirements described below must also be met.



FUNDING CAPS

**Funding caps are no longer applicable.**

RIGHT-OF-WAY

In general, municipalities are responsible for providing any right-of-way needed to construct pedestrian facilities. The DOT will allow pedestrian facilities on DOT right-of-way only if the pedestrian facility will not compromise the safety of vehicles or pedestrians. For preventing hazards, the DOT may buy the necessary right-of-way. For incidental and independent projects the DOT shall not pay extra right-of-way cost for pedestrian facilities.

Since the DOT's typical curb and gutter cross-section generally has a 3.0 meter (10 foot) berm, a 1.5 meter (5 foot) pedestrian facility may fit within this standard right-of-way.

Applicable AASHTO standards for right-of-way and design must be met. The DOT will not narrow automobile travel lanes to accommodate incidental pedestrian facilities. For example, if a project specifies five 3.6 meter (12 foot) lanes on a section of road, the DOT will not reduce the width of the travel lanes to 3.0 meters (10 feet) to create room for pedestrian facilities. In addition, if right-of-way is restricted, and there is insufficient room for pedestrian facilities and a utility strip, the utility strip will take precedence.

Applicable Federal and State regulations must also be met. For example, if right-of-way for a particular project is restricted by historic property, federal regulations on historic preservation may prohibit the DOT from using additional right-of-way for pedestrian facilities.

MAINTENANCE

Local governments are responsible for maintaining all pedestrian facilities. The Municipal Agreement will formally specify that the DOT is not responsible for maintaining pedestrian facilities.



**APPENDIX**

## POLICY ADOPTED BY THE NC BOARD OF TRANSPORTATION

**.0406 CONSTRUCTION AND MAINTENANCE OF SIDEWALKS AND OTHER  
PEDESTRIAN FACILITIES**

- a) It is the policy of the Board of Transportation that highway funds are for the purpose of constructing and improving streets and highways for the movement of people and goods. Generally, within municipalities, the construction of a sidewalk on a state highway system street is considered a municipal responsibility.
- b) When a highway construction project having to do with the widening of an existing street requires that an existing sidewalk be torn up to make room for the widening, it is the policy of the Department of Transportation to replace the sidewalk.
- c) For construction and widening projects where sidewalks do not already exist, it is the policy of the Department of Transportation that it will not participate in the construction of sidewalks except as in subsections (d) and (e). If adequate right of way is available, the Department of Transportation will grade out a level walking area back of the curb in the utility strip. The municipality may, at its own discretion, construct sidewalks. If the municipality desires sidewalks as a part of the construction project, they will be constructed and the city will reimburse the Department of Transportation for the cost of the sidewalks by appropriate municipal agreement.
- d) In the planning, design, and construction of TIP transportation projects, the Department of Transportation shall consider the needs of pedestrians and will not create hazards to pedestrian movements.
- e) The Department recognizes there are certain situations in which pedestrian facilities provide significant benefits in the movement of pedestrian traffic. The Department of Transportation may participate in the provision of these facilities on a full or shared cost basis.