

**MARICOPA COUNTY
TRAFFIC CALMING ORDINANCE No. P-29**

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF MARICOPA COUNTY, ARIZONA, AUTHORIZING THE MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION TO ADDRESS COUNTY PROPERTY OWNERS' CONCERNS RELATED TO VEHICULAR CUT-THROUGH TRAFFIC AND EXCESSIVE SPEED ON CERTAIN LOCAL ROADS, THROUGH A TRAFFIC CALMING PROGRAM SUPPLEMENTED BY VOLUNTARY FINANCIAL CONTRIBUTIONS BY PROPERTY OWNERS.

WHEREAS, the laws of the State of Arizona including Arizona Revised Statutes Sections 11-251 and 11-251.05 authorize the Board of Supervisors to lay out, maintain, control and manage public roads and adopt ordinances within Maricopa County; and

WHEREAS, the Maricopa County Department of Transportation currently employs traffic calming measures such as speed humps and other appropriate strategies, according to approved engineering standards, to prevent excessive cut-through traffic and excessive speeds on local roads, thereby promoting the public health, safety and welfare in residential areas of unincorporated portions of the County; and

WHEREAS, the Department of Transportation annually sets aside limited funds for traffic calming, through its Transportation Improvement Program, as approved by the Board of Supervisors; and

WHEREAS, more traffic calming measures could potentially be applied to local roads, in response to property owners' requests, if the Department of Transportation were authorized to accept supplementary, voluntary financial contributions by property owners; and

WHEREAS, this ordinance would further promote the public health, safety and welfare in residential areas of unincorporated portions of the County by potentially increasing the Maricopa County Department of Transportation's application of traffic calming measures intended to prevent excessive cut-through traffic and excessive speeds on local roads; and; NOW

IT IS HEREBY ORDAINED by the Board of Supervisors of Maricopa County, Arizona, that the Maricopa County Traffic Calming Ordinance is hereby adopted as fully set forth in this ordinance.

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CHAPTER 1 – PURPOSE AND TITLE

101. PURPOSE

The purpose of this ordinance is to authorize the Maricopa County Department of Transportation to address county property owners' concerns related to vehicular cut-through traffic and excessive speed on certain local roads, through a traffic calming program supplemented by voluntary financial contributions.

102. TITLE

This document shall be referred to and known as the "Traffic Calming Ordinance".

CHAPTER 2 – SEVERABILITY AND APPLICABILITY

201. SEVERABILITY

If any portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance.

202. APPLICABILITY

This document shall apply to unincorporated areas of Maricopa County within the jurisdiction of the Maricopa County Board of Supervisors and property owners in those areas of the County.

CHAPTER 3 - DEFINITIONS

"Chicane" means a combination of raised curb and striping to narrow lane width and reduce speed through on a local road.

"Choker" means narrowing on one side or both sides of a local road in such a manner as to reduce speed without impairing safe two-way traffic.

"Cul-de-sac" is the special turning around provision located at the termination of a local road.

"Cut-through traffic" means traffic that passes through a given residential neighborhood that has neither an origination nor destination point in that neighborhood. Through traffic that does not have a feasible alternative route due to the roadway network is not considered cut-through traffic.

“Department” means the Maricopa County Department of Transportation.

“Diverter” means a barrier type device that forces traffic to make only a left turn or a right turn at an intersection. A diverter is normally used to control direction and flow of traffic in residential neighborhoods.

“Local road” means a traveled way that is legally open to vehicular travel by the general public and that has abutting land uses that are only residential.

“Property owner” includes any person or corporation possessing legal or equitable title to the property whether for that person, corporation or another and includes persons or corporations holding or expecting title under a contract for the sale of real property.

“Speed hump” means an asphalt hump, approximately 3.25 inches high and up to 12 feet in width, and running from edge of pavement to edge of pavement across a road unless extended further in areas with wide shoulders.

“Traffic calming” means physical measures intended to prevent excessive cut-through traffic and excessive speeds on local roads, in the interest of safety, livability and other public purposes.

“Traffic calming measures” may include chicanes, chokers, cul-de-sacs, diverters, speed humps, traffic circles or other similar measures that meet the Department’s approved engineering practices.

“Traffic circle” means a type of circular intersection, used primarily in low volume residential neighborhoods, in which traffic must travel in one direction around a small central island.

CHAPTER 4 - ADMINISTRATION

401. ADMINISTRATIVE RESPONSIBILITY

It shall be the responsibility of the Department to implement this ordinance.

402. ADMINISTRATIVE FORMS AND ACCOUNTING PROCEDURES

The Department may develop and revise administrative forms and accounting procedures as necessary and appropriate to implement this ordinance.

403. GENERAL PROCEDURES

The Department shall apply the following general procedures when considering a request for traffic calming measures for a road:

A. A property owner may request traffic calming measures by submitting an application requesting the Department to conduct a study to determine if there are sufficient vehicle speeds and traffic volumes on the local road to warrant application of traffic calming measures. The property owner must obtain signatures from at least six property owners on the local road segment, or 50% of the total number of property owners on the local road segment, whichever is less, and present the signatures to the Department on proper forms supplied by the Department.

B. Within 30 days of receiving a property owner's application requesting traffic calming measures, as supported by the property owners as provided in subsection A of this section, the Department shall initiate a traffic calming study.

C. Upon completion of the traffic calming study, the Department shall determine if there are sufficient vehicle speeds, traffic volumes and other conditions on the local road to warrant application of traffic calming measures. To make this determination, the department shall apply the threshold speed criterion, traffic volume criterion and other guidelines provided in this ordinance.

1. If the Department determines that there are insufficient vehicle speeds and traffic volumes on the local road to warrant application of traffic calming measures, or such measures are not feasible based on the guidelines set forth in this ordinance, the Department shall notify the requesting property owner (applicant) that the request is declined and no further action will be taken.
2. If the Department determines that both the vehicle speed criterion and the traffic volume criterion are sufficient to warrant application of traffic calming measures, and that such measures are feasible based on the guidelines set forth in this ordinance, the Department shall inform the property owner (applicant) that the Department agrees to implement an appropriate traffic calming measures and fund 100% of the cost of the traffic calming measures if the applicant obtains and provides to the Department all of the following:
 - a. Written approval to initiate design from 80% of property owners whose property is adjacent to the subject road or who have access to their property only through the subject road.
The Department shall wait three months before beginning the design. During the three month period, property owners have the option to add or remove their name from the approval list. After the three month period is closed, the Department shall begin the design, provided 80%

of the above defined property owners support the project and remain on the approval list.

- b. Written approval to implement the completed design from 80% of property owners whose property is adjacent to the subject road or who have access to their property only through the subject road.
 - c. Written approval to implement the completed design from all property owners whose property is directly adjacent to proposed traffic calming measures.
3. If the Department determines that either the vehicle speed criterion is met or the traffic volume criterion is met, but not both, and that traffic calming measures are feasible based on the guidelines set forth in this ordinance, the Department shall inform the applicant that the Department shall agree to implement appropriate traffic calming measures and fund 50% of the cost of the traffic calming measures if the applicant agrees to and provides all of the following:
- a. Agrees to voluntarily provide in advance of project construction 50% of the construction cost and demonstrates that 80% of property owners (whose property is adjacent to the subject road or who have access to their property only through the subject road) agree to providing 50% of the construction cost.
The voluntary contribution must be in the form of a cashier's check or money order made payable to the "Maricopa County Department of Transportation." Personal checks will not be accepted.
 - b. Obtains written approval to initiate design from 80% of property owners whose property is adjacent to the subject road or who has access to their property only through the subject road.
The Department shall wait three months before beginning the design. During the three month period, property owners have the option to add or remove their name from the approval list. After the three month period is closed, the Department shall begin the design, provided 80% of the affected property owners remain on the approval list.
 - c. Obtains written approval to implement the completed design from 80% of property owners whose property is adjacent to the subject road or who have access to their property only through the subject road.
 - d. Obtains written approval to implement the completed design from all property owners whose property is directly adjacent to a proposed traffic calming measure.

D. If, after installation of a traffic calming measure, the Department determines of its own volition that it is in the best interests of the public health, safety and welfare to remove the measure, the Department shall do so without the need for approval of the property owners and shall do so at the Department's expense. If the installation was done through a 50% cost share by the owners, the Department will refund the owners the original cost share contribution.

E. If the department has installed a traffic calming measure, and a property owner desires that the measure be removed, the property owner must present a request to the Department with written concurrence of 80% of property owners whose property is adjacent to the subject road or have access to their property only through the subject road. All costs associated with removal of the traffic calming measure will be the responsibility of the property owners who provided the written concurrence. The traffic calming measures must remain in place for a minimum of one year after installation unless the removal is initiated by the Department under subsection D of this section.

404. GENERAL GUIDELINES

The Department shall use the following guidelines related to traffic calming:

A. The traffic services and accessibility functions of neighborhood roads shall be consistent with the urban and rural hierarchy established in the Department's Roadway Design Manual, as amended and updated periodically.

B. The Department will consider traffic calming measures only on local roads and collector roadways that function as local roads.

C. Any traffic calming measure to be used by the Department shall be planned and designed according to approved Department planning and engineering practices.

D. The speed criterion for consideration of traffic calming shall be an 85th percentile speed of at least 8 miles per hour over the posted speed limit, and the traffic volume criterion shall be at least 1,100 vehicles per day. Where the roadway network does not allow for feasible alternative routes, additional studies may be required to determine the extent of cut-through traffic to assess the traffic volume reasonable for the roadway segment under consideration.

E. The Department shall ensure that any traffic calming measure is applied in such a manner as to accomplish all of the following:

1. Maintain reasonable emergency vehicle access at all times.
2. Encourage the use of arterial and collector streets for what might otherwise become cut-through traffic.
3. Maintain a balance between traffic generation and transportation system capacity.
4. Encourage the design of new local and collector street networks that discourage non-local traffic through the use of loop streets, cul-de-sacs, T-type intersections and discontinuous alignments.
5. Maintain reasonable access for property owners and service vehicles.

F. The Department shall use the following guidelines related to implementation of speed humps:

1. Special consideration shall be given to wide roadways and locations with wide shoulders, where potential exists for drivers to drive around speed humps. The Department may choose to include additional pavement when wide shoulders exist.
2. The Department shall not implement speed humps on a road with a speed limit over 30 miles per hour.
3. The Department shall not locate speed humps within 150 feet of an intersection, within 200 feet of a stop sign (approaching the stop sign), or within 660 feet of a traffic signal.
4. The Department shall install speed humps in a series of at least two humps, 300 to 500 feet apart.
5. The Department shall not install speed humps on a fire or emergency services route.
6. The Department may choose not to install speed humps on a road that is used by golf carts.
7. The Department shall apply speed humps in such a manner that drainage is not compromised.