



# **NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM (NTMP) PROPOSED ORDINANCE CHANGES**

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# PURPOSE

together we create a strong foundation  
for Houston to thrive

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# 5 TO THRIVE VALUES

respect | ownership | communication | integrity | teamwork



# PROGRAM OVERVIEW



# WHAT IS THE NEIGHBORHOOD TRAFFIC MANAGEMENT (NTMP) PROGRAM?

- **Program Purpose:**
  - To improve neighborhood quality of life by implementing traffic calming measures to reduce excessive vehicular speeds and cut-through traffic on neighborhood streets.
  - Two program paths: **Speed Control Program and Volume Control Program**
- **Speed Control Program:** Focuses on prevention of speeding within residential neighborhoods by using speed cushions
- **Volume Control Program:** Focuses on prevention of vehicular cut-through traffic by using variety of traffic calming treatments
- **Governed by City Ordinance: Chapter 45 Article XV**
- **The program has been through many iterations since inception in 1993**

# WHAT IS THE NEIGHBORHOOD TRAFFIC MANAGEMENT (NTMP) PROGRAM?

Elements of the program are a response to Texas Transportation Code

Sec. 311.001.

*“Before a municipality with a population of 1.9 million or more may install traffic calming measures within the municipality, the governing body of the municipality must:*

- (1) publish standards and criteria, which must include sufficient notice to allow the governing body to receive and consider public comments from residents within one-half mile of the proposed traffic calming measure;*
- (2) on request of affected residents, schedule and hold a public meeting before implementation of the measure; and*
- (3) if the measure involves the closure of a street to motor vehicular traffic, before the closure:
  - (A) hold a public hearing on the issue of the closure; and*
  - (B) approve the closure by a majority vote.”**

# PROS AND CONS OF CURRENT PROGRAM

- **Constituent driven process**

- Applications must be submitted by a resident of the neighborhood area (project area)
- Application requires an accompanying petition of signatures from neighbors or a letter of support from a neighborhood organization
- Conflicts among multiple organizations or residents



- **Boundary area requirements:**

- Allows for a compressive review of a neighborhood
- Focus on addressing constituent concern and not shifting issue to another street and/or residential area
- Can lead to costly projects that become cost prohibitive to implement
- Avoid segregation of portions of a large neighborhood



# PROS AND CONS OF CURRENT PROGRAM

- **Half-mile notification requirement**



- Allows for broad community engagement
- Can lead to new applications from adjacent neighborhoods
- Can lead to constituent confusion and frustration

- **Timeline**



- **Speed Control Program:** Typically takes 6-8 months
- **Volume Control Program:** Can take 1.5 to 2 years

- **Vehicular volume and speed data collection**



- Only part of Volume Control Program
- Speed Cushions installed without speed data

# PROPOSED CHANGES



# OVERVIEW OF PROPOSED CHANGES

- Creation of a “Priority Area” in the application process
- Formalizing ability to phase implementation based on funding availability
- Allows for modifications and partial approval of concept plans based on funding availability
- Allows for changes to neighborhood area boundaries based on additional factors

# PROPOSED ORDINANCE LANGUAGE

# SECTION 45-361. DEFINITIONS

## Sec. 45-361. Definitions.

As used in this article, the following words and terms shall have the meanings ascribed to them in this section unless the context of their usage clearly indicates a different meaning:

Applicant's priority area means the specific location(s) or street(s) within the neighborhood area designated by the applicant.

Allow applicants and CMs to request implementation for a small portion

*Neighborhood area* means any contiguous area within the city that generally has as its boundaries: (i) the interior right-of-way line of any major thoroughfare or major collector street; (ii) the interior boundary or right-of-way line of any railroad line, utility or pipeline corridor, river or waterway (not including drainage or flood control ditches not being traversed by other streets within the general locale); (iii) the corporate limits of the city; or (iv) any combination of one or more of the foregoing boundaries. A neighborhood area may consist of one or more subdivisions and shall include only those properties within and fronting on or taking their only access from a street within the bounded area. ~~The director may adjust the boundaries of neighborhood area at any stage of the neighborhood traffic management process upon the consideration of addition information including, but not limited to, public input from residents or property owners in the neighborhood area or findings made by the director as a result of the presence of special conditions affecting the neighborhood area.~~

Moved to a later section

# SECTION 45-361. DEFINITIONS *Continued*

*Project* means the construction of one or more devices upon a designated street(s) in the neighborhood area, as may be amended.

*Speed control program* means one or more projects intended to address speeding problems by installation of speed cushions within a neighborhood area.

*Volume control program* means one or more projects intended to address cut-through traffic and speeding problems within a neighborhood area.

Clarify that speed cushion is the only traffic calming device in Speed Control Program

# SECTION 45-362. PURPOSE; REGULATIONS.

## Sec. 45-362. Purpose; regulations.

- (a) The purpose of this article is to establish the procedures governing the application for and review, approval, financing and construction of projects to minimize or eliminate traffic congestion, cut-through traffic, speeding or other traffic-related problems in a neighborhood area. In accordance with the provisions of this article, the director shall prepare and make available to the public appropriate forms to request a project.

Give HPW the authority to add details, steps, procedures, etc.

Consistent with the other provisions of this article and state law, the director may promulgate request forms and may promulgate rules and regulations for the implementation of this article, including without limitation rules, policies, procedures and regulations establishing the criteria for the modification and partial approval/denial of projects, the neighborhood area and concept plans, resubmittal of projects, phased implementation of concept plans that the director approved but were not implemented in their entirety due to funding availability, and notice requirements for amended concept plans and projects completed in phases due to funding availability. A copy of the rules and regulations shall be maintained for public inspection in the offices of the said director, and copies may be purchased at the fees prescribed by law published on the city website.

Add consideration for funding

# **POSSIBLE IMPACTS:**

## **FUNDING IS A CONSIDERATION FOR IMPLEMENTATION**

- **HPW will develop a process to determine length of time for which an approved plan can still be active**
  - A timeline for approved concept plans will ensure recommendations do not become out of date
- **HPW will develop procedures for how to inform the public about approved, but not funded, speed cushions**
  - Messaging with constituents will be essential to minimize confusion and frustration
  - Possibility of additional public notices to ensure compliance with Texas Transportation Code
- **Potential for proposed cushions to never be installed**

# SECTION 45-367. REQUEST FOR PROJECTS.

## Sec. 45-367. Request for projects.

- (a) A request for a project must be initiated by an applicant. Multiple requests from same or similar neighborhood areas may be consolidated into and considered as a single request, at the director's option.
- (b) The director may, from time to time, prepare and submit for approval by resolution of the city council revisions to the schedule of fees that shall be paid by an applicant for a project. Payment of any applicable fees stated for this provision in the city fee schedule when due is a condition of the processing of a request under this article.
- (c) The director may adjust the boundaries of a neighborhood area at any stage of the neighborhood traffic management process upon the consideration of information including, but not limited to, public input from residents or property owners in the neighborhood area, amount and availability of public assistance or funding (including Council District Service Funds) or funding from private funding sources, or findings made by the director as a result of the presence of special conditions affecting the neighborhood area.

Moved from definition and expanded to allow more reasons to modify boundary; previously, traffic is the main consideration

# **POSSIBLE IMPACTS:**

## **MODIFICATIONS TO BOUNDARY BASED ON FUNDING AVAILABILITY**

- **Preferential treatment for streets with funding, possible for both public and private funded project areas**
- **Traffic issues shift to other streets and/or areas**
  - Existing boundary definition allows for comprehensive plans that are focused on addressing concerns and minimizing adverse impacts
- **Existing ordinance language allows for boundaries that are clear and defensible**
  - Especially when residents within the ½ mile buffer receive a public notice for improvements in an adjacent neighborhood
- **Possible conflict between neighborhood groups or civic clubs**



# SECTION 45-368. PRELIMINARY REVIEW PROCESS

## Sec. 45-368. Preliminary review process.

- (a) Each request for a project shall be made or forwarded by the applicant to the director upon a form promulgated for that purpose by the director and shall include, at a minimum, the following:
- (1) A description or definition of the proposed neighborhood area;
  - (2) A list containing the names, addresses and telephone numbers of the individuals comprising the applicant or, in the case of a request from a neighborhood association, the name, address and telephone number of the duly authorized representative of the neighborhood association.
  - (3) A general description of the traffic problem or condition to be remedied;
  - (4) The type of program, speed control or volume control, being sought;
  - (5) The applicant's priority area where the speed control or volume control is being sought;

# SECTION 45-368. PRELIMINARY REVIEW PROCESS

*Continued*

~~(5)~~(6) Special conditions concerning the proposed neighborhood area, including, but not limited to, such factors as the location and nature of businesses, schools, parks, churches or other non-residential traffic generators within or in close proximity to the neighborhood area;

~~(6)~~(7) Written evidence of neighborhood or community support for the project from residents and property owners within the affected neighborhood area;

~~(7)~~(8) Whether public funding or assistance is requested for the project; and

~~(8)~~(9) Any other information reasonably required by rule or regulation of the director in order to make any determination specified under this article.

# SECTION 45-369. REVIEW CRITERIA

## Sec. 45-369. Review criteria.

The director shall evaluate and prioritize all requests pursuant to the following criteria:

- (1) Whether the request identifies a problem that could be remedied under this article;
- (2) Whether the request identifies a problem that could readily be addressed through the installation of a type of traffic control device that may be installed without approval under this article;
- (3) Whether special conditions concerning the neighborhood area, including, but not limited to, the location and nature of businesses, schools, parks, churches or other non-residential traffic generators within or in close proximity to the neighborhood area, may support approval of the project;
- (4) Whether there is public support for the project as evidencing that the project will enhance and promote the public health, safety and welfare;

# SECTION 45-369. REVIEW CRITERIA *Continued*

- (6) For requests that include a public funding component, the amount of public funds available for planning of projects, the number of outstanding requests for publicly funded projects planning, the amount of public funds available for the project, and the apparent merit of the request as compared to that of other requests and established city priorities; and
- (7) For requests that include a private funding component, the amount of private funds available for the planning of the project and the project.

## Division 2. Volume Control Program

# SECTION 45-374. CONCEPT PLAN

### Sec. 45-374. Concept plan.

The director shall prepare a concept plan for each project approved pursuant to section 45-373, taking into account all traffic studies, public comments and other data and factors developed in accordance with the requirements of this article. Each concept plan shall be reviewed by the neighborhood traffic committee and approved by the interdepartmental review committee and the city attorney before being submitted for public comments, as hereinafter provided. No concept plan or project shall be approved by the interdepartmental review committee if it is found that:

- (1) Pedestrian traffic or access to a neighborhood area would be denied or materially impeded;
- (2) General mobility of traffic in the neighborhood area, the surrounding community, or both, as determined by the city's traffic engineer, would be unreasonably adversely affected to a material extent;
- (3) Based upon review of any reasonably suitable alternative methods identified by the interdepartmental review committee to resolve the problem, that the proposed resolution is not the least restrictive device that could reasonably be expected to substantially mitigate or resolve the problem;

## Division 2. Volume Control Program

# SECTION 45-374. CONCEPT PLAN *Continued*

For clarity, HPW has already followed this process.

(4) The project would prevent any owner of property from having direct vehicular access to at least one abutting street in the city; or

(5) The project would be likely to significantly delay ingress to or egress from neighborhoods by emergency service vehicles.

The city attorney shall approve the concept plan unless he determines that its implementation would be contrary to local, state or federal laws or regulations. Written notice of the interdepartmental review committee and the city attorney's determination shall be given to the applicant. If either the city attorney or interdepartmental review committee deny the concept plan, the director may, in the director's reasonable professional judgment, develop a new concept plan(s), and the provisions of this section 45-374 shall be applicable to the new concept plan(s). Written notice of the interdepartmental review committee and the city attorney's determination regarding the subsequent concept plan(s) shall be given to the applicant. ~~either declines to approve a concept plan, the applicant shall be so notified.~~ Absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the same or a similar project that was denied by the city attorney or interdepartmental review committee shall not be eligible for reconsideration for a period of three years.

## Division 2. Volume Control Program

# SECTION 45-376. FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR

### Sec. 45-376. Final review and ranking; recommendation by director.

- (a) Following the close of the public comment period provided in section 45-375(b) above, the director shall evaluate each concept plan, and shall compare it to all other unimplemented concept plans that have reached the same level in the approval process. The director shall either (i) disapprove the concept plan and its underlying request and so notify the applicant in writing; or (ii) approve the concept plan, as may have been modified by the director, in whole or in part, for further consideration and so notify the applicant in writing. The director shall give those concept plans receiving approval a priority ranking that shall be used to establish the order in which the various approved projects will be considered for implementation. If the director disapproves the concept plan, and absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the same or a similar project shall not be eligible for reconsideration for a period of three years.

## Division 2. Volume Control Program

# SECTION 45-376. FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR *Continued*

- (b) Each concept plan must be tested with a temporary device and receive a recommendation of approval from the director before being submitted to city council for final approval. Unless the project has been approved by the director for public funding assistance, the temporary device shall be placed at the applicant's sole expense. Each concept plan whose priority ranking is sufficient to indicate that public funding will be available to complete the project, if approved, during the current or next succeeding fiscal year and each concept plan for a project to be financed from private funding sources shall receive approval from the director for the construction of a temporary device, in accordance with its priority ranking, provided that the director may approve a temporary device for any ranked project without regard to its priority ranking in order to reflect special or changed circumstances, availability of Council District Service Funds, or in order to avoid delay in implementing worthy projects that have not been approved for public funding. No temporary device may be placed without the approval of the director.

Temporary devices shall be in place for a testing period of not less than 90 days, provided that the director shall immediately remove a temporary device that is determined to be a threat to public health, safety or welfare.



## Division 2. Volume Control Program

# **SECTION 45-376. FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR** *Continued*

- (c) Upon authorization of placement of a temporary device:
  - (1) The device, with appropriate signs, shall be constructed within the neighborhood area in accordance with the published concept plan;
  - (2) City staff, the neighborhood traffic committee and the interdepartmental review committee shall monitor and review traffic impact and any comments received regarding the temporary device during the testing period; and

## Division 2. Volume Control Program

# SECTION 45-376. FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR *Continued*

- (3) At least 90 but no more than 210 days following the placement of the temporary device, to receive public comments regarding the temporary device, a third public meeting shall be called and conducted, in the same manner as for the second public meeting with written notice to: the same parties notified as for the second public meeting, ~~and to~~ those additional persons who registered their names and addresses at the second public meeting, and all property owners and residents within one-half mile of the location where the temporary device was placed ~~to receive public comments regarding the temporary device~~. The provisions of section 45-371(f) of this Code shall also be applicable to the third public meeting. Written notice shall also specify how public comments may be received by city council prior to its consideration of the project and shall contain a description of the concept plan if the director has materially modified the concept plan since the second public meeting or if the temporary device was placed at a location materially different from the location described in the concept plan published with the notice for the second public meeting.

For clarity, HPW has already followed this process.

## Division 2. Volume Control Program

# SECTION 45-376. FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR *Continued*

- (d) Upon the conclusion of the public meeting and expiration of the 14 day comment period following the third public meeting, the director shall review all of the available information regarding the temporary device, including timely received public comments, and either (i) remove or cause to be removed the temporary device and deny all or part of the concept plan or (ii) forward his recommendation for final approval of all or part of the concept plan to city council, during which time the temporary device may remain in place. Written notice of the director's action shall be given to the applicant. If the director disapproves the concept plan, in whole or in part, and absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the concept plan or disapproved portions thereof may not be resubmitted as any part of a new request for the same or a similar project for a period of three years. Notwithstanding anything to the contrary herein, the three-year prohibition on resubmitting a new request for the same or similar project shall not apply to a project or concept plan, including any portion thereof, for which the director modified, approved (in whole or in part), or disapproved solely due to funding availability.

Allow HPW to establish process for phased implementation.

## Division 3. Speed Control Program

# SECTION 45-395 FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR

### Sec. 45-395. Final review and ranking; recommendation by director.

- (a) The director shall evaluate the comments received and modify the concept plan as needed. The director shall have the discretion to approve the concept plan in part, in the director's reasonable professional judgment, such as approving only the portion of the concept plan for which funding, whether public funding (including Council District Service Funds) or private funding, is available. The director shall either (i) disapprove the concept plan and its underlying request and so notify the applicant in writing; or (ii) approve the concept plan, as may have been modified by the director, in whole or in part, for implementation and so notify the applicant in writing. The director shall give the approved concept plan a priority ranking that shall be used to establish the order in which the various approved projects will be considered for implementation. If the director disapproves the concept plan, and absent demonstrable evidence of a significant change in traffic speeds in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the same or a similar project shall not be eligible for reconsideration for a period of three years.

Potential impacts:  
preferential treatment for  
streets with funding;  
traffic issues shifted to  
other streets

## Division 3. Speed Control Program

# SECTION 45-395 FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR

- (b) Each concept plan must be tested with a temporary device and receive a recommendation of approval from the director before being submitted to city council for final approval. Unless the project has been approved by the director for public funding assistance, the temporary device shall be placed at the applicant's sole expense. Each concept plan whose priority ranking is sufficient to indicate that public funding will be available to complete the project, if approved, during the current or next succeeding fiscal year and each concept plan for a project to be financed from private funding sources shall receive approval from the director for the construction of a temporary device, in accordance with its priority ranking, provided that the director may approve a temporary device for any ranked project without regard to its priority ranking in order to reflect special or changed circumstances, availability of Council District Service Funds, or in order to avoid delay in implementing worthy projects that have not been approved for public funding. No temporary device may be placed without the approval of the director. Temporary devices shall be in place for a testing period of not less than 90 days, provided that the director shall immediately remove a temporary device that is determined to be a threat to public health, safety or welfare. Upon authorization of placement of a temporary device, the device, with appropriate signs, shall be constructed within the neighborhood area in accordance with the approved concept plan.

## Division 3. Speed Control Program

# SECTION 45-395 FINAL REVIEW AND RANKING; RECOMMENDATION BY DIRECTOR

The director shall review all of the available information regarding the temporary device, including public comments, and either (i) remove or cause to be removed the temporary device and deny all or part of the concept plan or (ii) forward his recommendation for final approval of all or part of the concept plan to city council, during which time the temporary device may remain in place. Written notice of the director's action shall be given to the applicant. If the director disapproves the concept plan, in whole or in part, and absent demonstrable evidence of a significant change in traffic volume or traffic patterns in the intervening period which would in the director's reasonable professional judgment prompt an earlier review, the concept plan or disapproved portions thereof may not be resubmitted as any part of a new request for the same or a similar project for a period of three years. Notwithstanding anything to the contrary herein, the three-year prohibition on resubmitting a new request for the same or similar project shall not apply to a project or concept plan, including any portion thereof, for which the director modified, approved (in whole or in part), or disapproved solely due to funding availability.

Allow HPW to establish process for phased implementation.

# SUMMARY OF PROS AND CONS

- + Easy approval of speed cushions on any street
- + Phased implementation
- + Promote private funding
- + More flexibility for spending CDSF each year

- Additional planning efforts (more projects, more tracking, more notices)
- Approved project with partial implementation (resident frustration)
- Shifted traffic impacts
- Preferential treatment (e.g., streets with funding or support from CM receive speed cushions)
- Less focus on traffic data
- Potential impacts on future (HPW planned) revisions of the program



# PLANNED REVISIONS

## 1. 3 sets of traffic calming tools

- Speed cushions
- *Devices with no access impacts – requires comprehensive evaluation of neighborhood area*
- Closures (access impacts)
  - Similar to existing Volume Control Program

## 2. Development of an interactive online dashboard for:

- Council Districts
- Public

## 3. Improve constitute response rates to public notices

- Improve public notice format
- Utilize online engagement more



# Q&A

# Thank you!



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