



# DEVELOPMENT SERVICES

## RULE INTERPRETATION DETERMINATION

**Determination #:** 2024-005

**Title:** *TIA Credit for New and Upcoming Development*

**Drafted by:** *Land Development Engineering*

**Rule in Question:** *Unified Development Code (UDC) Section 35-502(a) - Traffic Impact Analysis and Roughly Proportionate Determination Study*

**Department Action:** *This RID is for clarification purposes and includes suggested UDC amendments for the next Unified Development Code Amendment cycle.*

*Amin Tohmaz*

08/16/2024

Amin Tohmaz, PE, CBO  
Interim Development Services Director

Date

**Effective Date of Determination:** *Immediately*

*Please note RIDs often result in direct or related UDC amendments to codify the clarification addressed within the RID. RIDs can also be superseded by subsequent RIDs or UDC amendments. The Development Services Department will remove RIDs from the website when they are no longer valid.*

**Staff Analysis:** Unified Development Code (UDC) Section 35-502 outlines the requirements for Traffic Impact Analysis (TIA) and related procedures to ensure accurate assessments of traffic impacts from new developments. However, the UDC currently lacks explicit guidance on handling trip credits for both TIA Worksheets and TIA studies for sites where previous developments have ceased operations.

Without clear guidelines, inconsistencies arise in applying trip credits. Specifically, when previous developments on a site have been inactive for over a year, applying trip credits from these inactive developments can lead to inaccurate accounting of the impact of the development, compromising the effectiveness of traffic management and safety measures.

**Staff Position and Interpretation:** It is staff's interpretation that for trip credits to be valid, the previous development on the site must have been active and generating traffic within one year of the current application's submittal date. If the site has been inactive for over a year, granting trip credits for past traffic generation would likely result in an underestimation of the current and future traffic impact. The current code does not explicitly allow trip credit; however, it is staff's interpretation of the below section that trips generated by the proposed development would not include vehicle trips that are currently on the adjacent roadways.

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*\*\*Sec. 35-502. - Traffic Impact Analysis and Roughly Proportionate Determination Study. \*\**

...  
*\*\* (b) Traffic Generation Reports. \*\**

...  
*\*\* (2) Trip Analysis. \*\* The property owner, or owner's agent, shall submit one (1) of the following three (3) types of reports listed below based on the number of peak hour trips (PHT) generated by the proposed development as determined from the most recent version of the ITE Trip Generation Manual when the property is part of a master development plan (MDP), planned unit development (PUD), plat, building permit, or is subject to an application to rezone. PHT analyzed may be the A.M., Midday, P.M., Saturday, and/or Sunday peak hours, based on the peak hour trip generation for that given day. Linear trip generation rates shall be used, except where the ITE Trip Generation Manual clearly indicates the use of regression equations better captures the trip generation estimates.*

Therefore, to maintain an accurate and fair assessment of traffic impact, staff's interpretation of the current code allows for trip generation credits may be applied to developments that have been active within the past year.

### **Future UDC Amendments:**

The RID includes one Unified Development Code amendment that will be reviewed for formal codification in the 2027 Unified Development Code amendment cycle. Section 35-502(b)(2)(D) is proposed to be amended as follows to provide clear guidelines on the awarding of TIA credits:

*A. Peak Hour Trip Generation Form and Turn Lane Assessment. [...]*

*B. Study Level Traffic Impact Analysis (TIA) [...]*

*C. Traffic Impact Analysis and Proportional Mitigation Determination Report [...]*

#### **D. Trip Generation Credit**

(1) Credits for previous development may be applied if the development was active within one year of the current application.