

City of Concord
Technical Standards Manual

Article VIII
Traffic Impact Analysis (TIA)
Appendix F

Transportation Mitigation Agreement (TMA)



TRANSPORTATION MITIGATION AGREEMENT

Project Information	Applicant Information
Project Name: _____	Applicant Name: _____
Project Owner: _____	Applicant Phone: _____
Project Location: _____ _____	Applicant Address: _____ _____
Case Number: _____	Applicant Email: _____

The City of Concord, with concurrence from the North Carolina Department of Transportation (where applicable), and the Applicant hereby agree that the information documented herein accurately and completely describes the development project and mitigation measures required and/or agreed upon to adequately mitigate the development's impacts to the public transportation system. The Applicant, and their successors and/or assigns, agrees to be responsible for the complete implementation of the identified mitigation measures as a condition of the subject development.

TRANSPORTATION IMPACT ANALYSIS (TIA) REPORT

Scoping Document Date: _____	Site Plan Date: _____
TIA Consultant: _____	Final TIA Date: _____

The final TIA Report for the subject development and/or application must be attached as an exhibit to this agreement. Between the date of this agreement and the final build-out of the development, any deviation from the proposed site plan, access locations, development program (including the square footage, number of dwelling units and types, trip generation, trip distribution, phasing, build-out years, etc.) and other pertinent information identified and used in the impact analysis must be submitted to the City and NCDOT (where applicable) for consideration to determine if a revised TIA and/or subsequent revised TMA will be required.

If the project name changes throughout the development process from that used in the final TIA, the Applicant, and their successors and/or assigns, is responsible for notifying the City and the NCDOT of the name change to ensure proper record keeping.

MITIGATION MEASURES

For the purposes of this document, the term "Mitigation Measures" includes all transportation improvements, traffic safety improvements, access control measures, transportation demand management plans, and other measures intended to address the traffic impact of the proposed development.

All mitigation measures identified in the final approved TIA, and listed below, should be constructed and/or implemented in order for the transportation system to safely and adequately serve the traffic related to the subject development. While there is no requirement for the Applicant to construct/implement the identified off-site mitigation measures, applications and subsequent driveway permits are subject to disapproval if existing and/or proposed infrastructure is determined to be inadequate to safely and efficiently serve the proposed development. The Applicant is responsible for verifying and ensuring adequate Rights-of-Way

(R/W) and/or easements exist prior to construction/implementation of any mitigation measures. Alterations to mitigation measures due to the lack of R/W or easements may require a revised TIA and subsequent TMA.

For single phased developments, all mitigation measures agreed to must be completed prior to the approval of the first Final Plat, Zoning Permit, or final Certificate of Occupancy (CO). If the proposed development is planned to be completed in multiple phases, all mitigation measures agreed to in the approved TMA must be constructed or implemented prior to approval of the first Final Plat, Zoning Permit, or final Certificate of Occupancy (CO) of the second phase, regardless of the total number of proposed phases unless otherwise noted in the list.

Describe the location, nature, extent, and phasing of all mitigation measures identified in the final approved TIA. *(Attach additional pages if needed)*

Location: [Redacted]
Mitigation Measure: [Redacted]
[Redacted]
Phasing: [Redacted]
 Check if Applicant agrees to construct/implement this mitigation measure/transportation improvement

Location: [Redacted]
Mitigation Measure: [Redacted]
[Redacted]
Phasing: [Redacted]
 Check if Applicant agrees to construct/implement this mitigation measure/transportation improvement

Location: [Redacted]
Mitigation Measure: [Redacted]
[Redacted]
Phasing: [Redacted]
 Check if Applicant agrees to construct/implement this mitigation measure/transportation improvement

Check if additional sheets are attached

BONDING REQUIREMENTS

Deferral of certain Mitigation Measures may be considered on a case-by-case basis. If any Mitigation Measures are approved to be deferred, the Applicant must issue a bond, letter of credit, or other performance security for improvements in accordance with section 5.7.4, Article 5 of the city’s CDO. Bonding requirements for mitigation measures and improvements within NCDOT right-of-way will be determined by NCDOT. *(Attach additional sheets if needed.)*

Deferred Mitigation(s)/Improvement(s):			
Anticipated Date of Completion:	Select Date	Bonded Amount:	
<input type="checkbox"/> Check if Applicant agrees to construct/implement this mitigation measure			

Deferred Mitigation Measure:			
Anticipated Date of Completion:	Select Date	Bonded Amount:	
<input type="checkbox"/> Check if Applicant agrees to construct/implement this mitigation measure			

Deferred Mitigation Measure:			
Anticipated Date of Completion:	Select Date	Bonded Amount:	
<input type="checkbox"/> Check if Applicant agrees to construct/implement this mitigation measure			

Deferred Mitigation Measure:			
Anticipated Date of Completion:	Select Date	Bonded Amount:	
<input type="checkbox"/> Check if Applicant agrees to construct/implement this mitigation measure			

ADDITIONAL CONDITIONS

Describe additional traffic impact and safety items to be coordinated through the development process which the Applicant agrees to. *(Attach additional sheets if needed)*

<input type="checkbox"/> Check if additional sheets are attached
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AGREEMENT BY ALL PARTIES

The mitigation measures and additional conditions listed in this Transportation Mitigation Agreement (TMA) have been determined to be necessary to adequately mitigate the impacts of the traffic related to the proposed development or, at minimum, maintain the current levels of service for all street segments and individual movements at intersections within the study area. If any of the identified mitigation measures are not agreed to in this TMA, the Applicant understands that the proposed development and/or any associated driveway permits are subject to disapproval due to the lack of adequate infrastructure. The Applicant is responsible for complete construction/implementation of all mitigation measures and satisfaction of any additional conditions agreed to in the list above. Any deviation from the development features as described in the final TIA, including but not limited to land uses and site access, must be submitted to City and NCDOT (as applicable) staff in writing for review and determination if a revised TIA and subsequent TMA will be required.

This TMA will expire at such time that the TIA is considered irrelevant.

Date of TIA Approval: [Select Date.](#)

<input type="checkbox"/>	Single-Phase Development	<i>TIA is irrelevant 3 years from approval date.</i>
<input type="checkbox"/>	Multi-Phase Development	<i>TIA is irrelevant 4 years from approval date.</i>

APPLICANT

Signature

Printed Name

Date

_____ County, North Carolina

Sworn and Subscribed before me this the ___ day of _____, 20__

Signature of Notary Public

(Print or type name of Notary Public)

(Seal)

NCDOT REPRESENTATIVE (if applicable)

Signature

Printed Name

Date

CITY TRANSPORTATION REPRESENTATIVE

Reviewed and approved by City Transportation on: _____

Signature

Printed Name

Date