

**THE FOLLOWING ORDINANCE WAS SPONSORED BY COUNCIL MEMBERS ZUCKERMAN AND VOGELTANZ; MOTIONED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_ AND SECONDED FOR ADOPTION BY COUNCIL MEMBER \_\_\_\_\_.**

**ORDINANCE NO. 26-09**

**AN ORDINANCE OF THE COUNCIL OF THE CITY OF MANDEVILLE AMENDING ARTICLE 8, SECTION 8.4.3 DATA REQUIREMENTS OF APPLICANTS, 8.4.4 TRAFFIC IMPACT ANALYSIS PROVISIONS, ADDING ARTICLE 8, SECTION 8.4.10 USE OF TRAFFIC IMPACT ANALYSIS, AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH**

**WHEREAS**, the City Council of Mandeville is vested by Section 2-1 of the Mandeville Charter with the legislative power of the city government and has the authority to enact ordinances which have the force of law;

**WHEREAS**, the City Council of Mandeville is empowered by Section 2-10 (A)(15) of the Mandeville Charter to utilize its policing power to amend or repeal any ordinance previously adopted;

**WHEREAS**, the City of Mandeville's Comprehensive Land Use Regulations Ordinance (CLURO) was adopted on June 25, 2015, rev. through \_\_\_\_\_, 2025, and provides for traffic impact analysis provisions outlining conditions for which a traffic impact analysis must be obtained and the procedures that govern the traffic impact analysis preparation cost and production, all as more fully outlined in Article 8.4;

**WHEREAS**, the City of Mandeville desires to provide all interested parties and determining commissioners and officials with a traffic impact analysis of a proposed development when the conditions for same are indicated in order to examine any infrastructure improvements necessary to support the development being proposed by the applicant and its effects on the public health, safety, and welfare.

**WHEREAS**, the City of Mandeville desires to provide clarity to the existing provisions which require a traffic impact analysis under certain conditions but do not specifically outline that same is the financial responsibility of the applicant and to provide for situations where the applicant wishes to provide an additional traffic impact analysis for consideration.

**WHEREAS**, the City of Mandeville desires to provide additional opportunity for collaborative production of the traffic impact analysis and to further support the traffic impact analysis provisions which seek to adopt methods to assess and address the traffic related impacts at the time significant land use decisions are deliberated and made.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** by the City Council of the City of Mandeville that CLURO Section 8.4.3, 8.4.4, and 8.4.10 be amended and added as follows:

#### **8.4.3. Data Requirements of Applicants.**

1. It shall be the responsibility of the applicant to submit at the time of application all data needed to determine whether or not a TIA will be required under the provisions of this section. This data shall be certified by a Registered Professional Engineer or other qualified individual.

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#### **8.4.4 Financial Responsibility for Required Traffic Impact Analysis and Selection Guidelines.**

If a Traffic Impact Analysis (TIA) is required for a project, the required TIA shall be procured by the City and be the financial responsibility of the applicant to be paid as part of the application process. The TIA shall be performed under the supervision of a qualified Professional Registered Civil Engineer or other qualified individual such as a transportation planner or traffic engineer selected and procured by the City. The TIA report must be prepared documenting the study, the data used, the findings and the recommendations of the study consistent with sections 8.4.5 and 8.4.6 which will be provided to the engineer by the City. The TIA Report shall be signed by the Registered Professional Engineer or other qualified individual responsible for the supervision of the study and the preparation of the TIA report. Twenty (20) copies of the TIA report shall be submitted by the firm contracted by the City at least two (2) weeks prior to the date on which the project is scheduled for consideration by the Planning Commission and costs associated with the TIA and the overall application shall be paid by the applicant prior to any hearing before the Planning Commission.

#### **8.4.10 Use of Traffic Impact Analysis**

Any traffic impact analysis provided to the City for evaluation of proposed actions to be recommended by City officials pursuant to Section 8.4.9 shall be published for public view and available in the materials related to the application on file with the City. The City officials and any Commission utilizing and evaluating the traffic impact analysis shall consider the findings thereof in its recommendations of action to be taken on the permit and any actions to be taken pursuant to Section 8.4.9. Further, in the event the applicant chooses to provide any additional traffic impact analysis, the City officials and any Commission utilizing and evaluating the traffic impact analysis shall give more weight to the findings of the traffic impact analysis provided to the City with the application but may consider the findings and recommendations of any additional traffic impact analysis provided it meets the requirements for performance guidelines and production timelines outlined in the whole of Article 8.4.

**NOW, THEREFORE, BE IT FURTHER ORDAINED** that the Clerk of this Council be and is hereby and is hereby authorized and empowered to take any and all actions which she, in the exercise of her discretion, deems necessary to promulgate the provisions of this ordinance.

The ordinance being submitted to a vote, the vote thereon was as follows:

AYES:

NAY:

ABSTENTIONS:

ABSENT:

And the ordinance was declared adopted this \_\_\_\_ day of \_\_\_\_\_, 2026.

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Alicia Watts  
Clerk of Council

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Jason Zuckerman  
Council Chairman