

H.740, An Act Relating to Transportation Improvement Fees

Testimony of Michele Boomhower, Assistant/MPO Director
Chittenden County Regional Planning Commission

February 6, 2014

Thank you for the opportunity to provide comment regarding H.740.

For the past several years the Chittenden County Regional Planning Commission has recognized that the current system of collecting transportation project improvement fees from the “last ‘developer’ in” has led to an inequitable, unpredictable, and in some cases, unachievable approach to improving the transportation system to allow for continued economic growth and development in Chittenden County and other parts of the state. The time has come to develop a predictable system for allowing development to continue to advance, while assuring that the transportation system preforms in a safe and efficient manner. CCRPC supports the advancement of H.740 in a timely and efficient manner to assure predictability and efficiency in the permitting process for projects impacting state and municipal transportation systems.

While the Vermont Agency of Transportation is responsible for providing the core infrastructure required for the state’s transportation network, it is the responsibility of developers to make investments in the proportion of the transportation capacity their project requires. H.740 outlines a pathway to develop of an equitable system for establishing a predictable fee structure, with a consistent planning methodology to determine the geographical extent of areas affected by the need for transportation system improvements to allow for continued community development and economic prosperity.

The 2013 Chittenden County Regional Plan strives for 80% of new development to occur in areas planned for growth, which amounts to 15% of the land area of Chittenden County. In 2013 86% or 508 new housing units, were constructed in areas planned for growth, exceeding the 80% goal for the second year in a row. In order to direct this pattern of future development adequate transportation infrastructure resources must be planned for. The Regional Plan goes on to address the need to address appropriate transportation performance standards in areas planned for growth.

The current District Commissions and VTrans standard of focusing on Level of Service (LOS) as the predominant performance measure to quantify traffic congestion measures the quality of service of a transportation facility from a driver’s perspective. For planning areas designated for growth (which excludes Rural Planning Areas in Chittenden County), the CCRPC uses both LOS and volume-to-capacity (v/c) measures to evaluate congestion in planning studies. Rather than focusing on incremental and often inconsequential changes between different levels of service, the volume to capacity measure provides information on whether the capacity of an intersection is being fully utilized. Applying both LOS and v/c measures will more effectively address determining appropriate

performance standards require to reach the land use and transportation system goals.

Additionally, the trip end trigger currently used to determine if a project will be required to complete a Traffic Impact Study may need to be re-evaluated. In areas planned for growth, the trigger for the addition of trips may require lower evaluation tolerance levels. The CCRPC is intent upon working with VTrans and other stakeholders to develop performance evaluation standards and measures that more appropriately address areas planned for growth.

We believe that it is imperative that the performance standards used by the District Commissions and VTrans be re-evaluated and updated to provide for appropriate levels of congestion in areas planned for growth. Likewise, thresholds must remain high in areas where the state, region and municipalities wish to discourage development. The successful implementation of H.740 hinges on updating the performance standards currently used in the permit review process.

With regards to §6107(c) which addresses the time horizon for the use of the TID fee (ie. implementation of the project) it may be appropriate to apply a two tiered time horizon to assure the timely implementation of projects based upon the project complexity. The developer needs an assurance that the project they are providing fees for will be implemented in a timely manner to provide the system benefits which will accrue to the development project. Likewise, the municipality and region need assurances that permitted development in TIDs is not out pacing the capacity of the existing system during the period of time prior to the implementation of the transportation system improvement for which a TID fee has been paid.

The role of a regional planning commission is to coordinate transportation planning with both the local municipalities which are within the regional planning commission boundaries, and the Vermont Agency of Transportation, in a coordinated manner. The Chittenden County Regional Planning Commission serves as a federally designated Metropolitan Planning Organization and receives directed funding from the Federal Highway Administration through VTrans to undertake continuous, cooperative and comprehensive transportation planning process to address the development of transportation plans such as the Transportation Improvement Districts (TIDs) outlined in H.740. Vermont's 10 other regional planning commissions are funded through the VTrans Transportation Planning Initiative (TPI) program to carry out a similar mission. Section 4 of H.740 recommends a Study be conducted to determine the role of RPCs in the establishment of TIDs. I would assert that the RPCs already have a mechanism and role in place through the current framework provided by the MPO and the TPI program. I would not envision RPCs managing TIDs and the associated transportation fees, rather I see the role of RPCs as partner in the TID development process, in collaboration with affected municipalities, assisting VTrans in the monitoring of system performance, project implementation and delineation of fees to TID's in a timely and efficient manner. Therefore it would be recommended that Section 4 be removed and the mechanism for developing the guidelines and methodology for delineation of TID's, performance standards, and fee structures be established by VTrans through the rule making process.

Michele Boomhower, CCRPC Assistant/MPO Director
mboomhower@ccrpcvt.org; 802-846-4490 x15