



# Act 145 of 2014 - Transportation Impact Fees Overview & Update

Senate Transportation Committee

January 23, 2015

Ron Shems, Chair Natural Resource Board

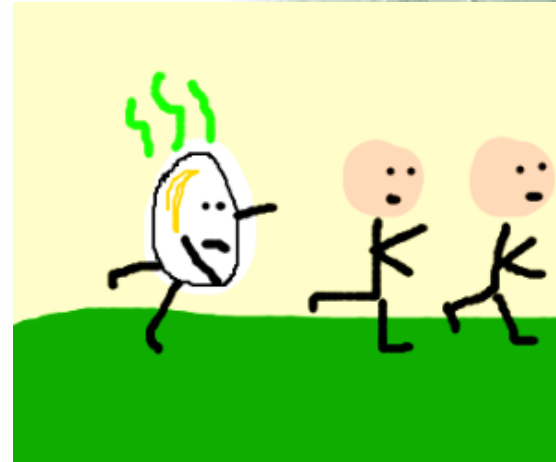
Joe Segale, P.E./PTP VTrans Policy, Planning & Research Bureau Director





# Act 145

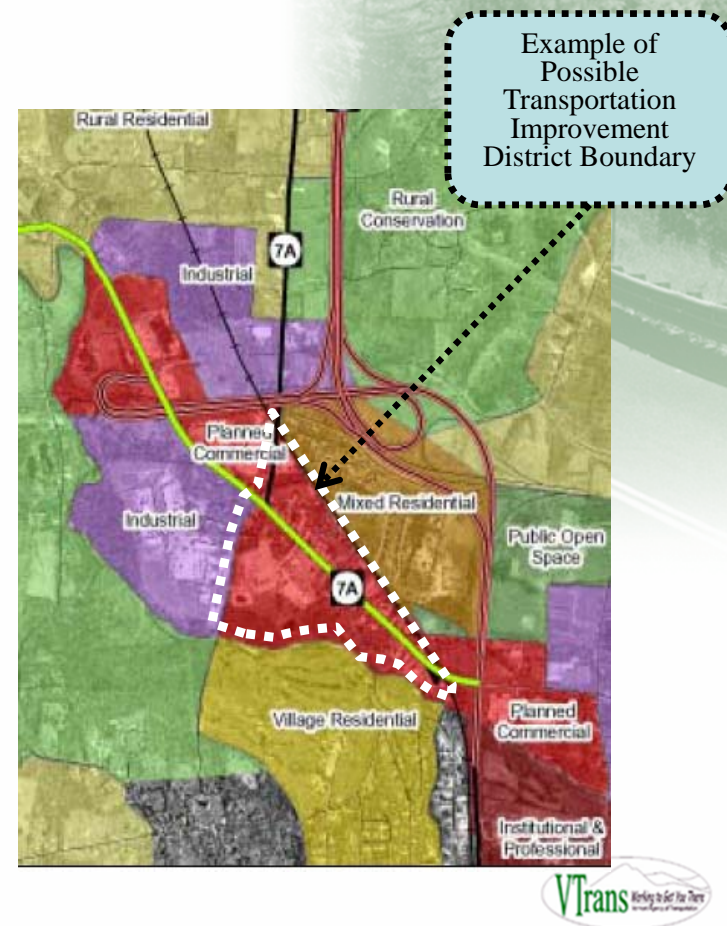
- Authorizes:
  - VTrans Established Transportation Impact Fees and Districts
  - Act 250 District Commission Established Fees
- Effective Jul 1, 2014





# VTrans Established Fee and TID

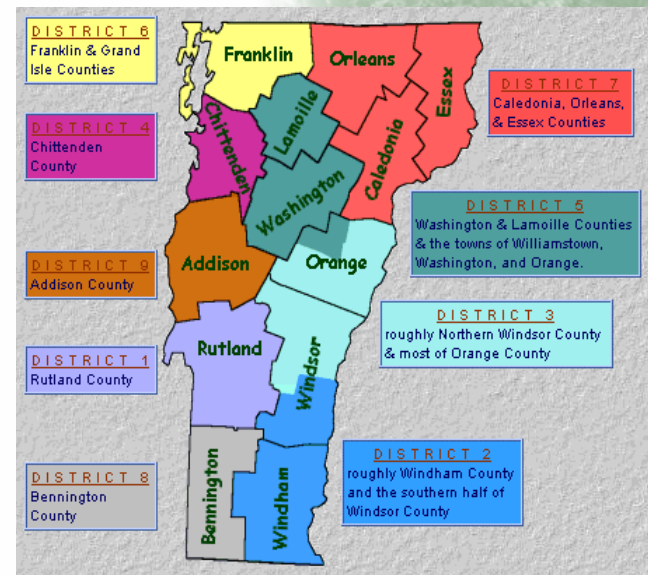
- Based on transportation project that:
  - Is in VTrans Capital Program
  - Under VTrans jurisdiction
  - **Adds Capacity**
- Transportation Infrastructure Study
  - Determines Fee
  - Established TID Boundary
- Local and Regional Consultation
- Public Notice & Hearing
- Secretary Approval
- Appeal Process
- Fee applied to any development project within TID that requires an Act 250 permit or a State Highway Access Permit





# Act 250 District Commission Established Fee

- Established in response to Act 250 land use permit application
- May be based on transportation project(s):
  - In VTrans Capital Program,
  - In Municipal Capital Program, or
  - Built by developer
- No geographic boundary or district established
- Project must mitigate transportation impacts, or benefit proposed land use





# Other Important Requirements

- Cannot be imposed to address existing deficiencies, except when exacerbated
- Limited to capital transportation projects (not operations and maintenance)
- Credit other related funding sources or in-kind contributions
- Developers will still have to mitigate site specific impacts
- Allows development to open before transportation project is complete, **UNLESS** there is a safety issue exacerbated by the development
- Payback of fee required if transportation projects not built **within 15 years**





# Outreach Since Law Passed

- June 2014 - Act 250 Commissioner Annual Training, Montpelier and Rutland
- June 2014 - TRB Tools of the Trade Conference, South Burlington VT
- October 2014 - Rutland RPC
- November 2014 - VT Development Conference, South Burlington.
- September 2014 - Chittenden County Planning Advisory Committee
- November 2014 - Northeastern VT Development Association Executive Committee
- September 2014- Northern New England Chapter of the American Planning Association, Stowe, VT
- November 2014 - New England Institute of Transportation Engineers Newsletter.
- Vermont Association of Planning & Development Agency Meetings
- RPC Transportation Planners at TPI meetings





## Act 145 Projects Proposed in SFY 2016 Capital Plan

- VT 104-VT 36 Intersection, Saint Albans Town
- US 7-Exchange Street, Middlebury

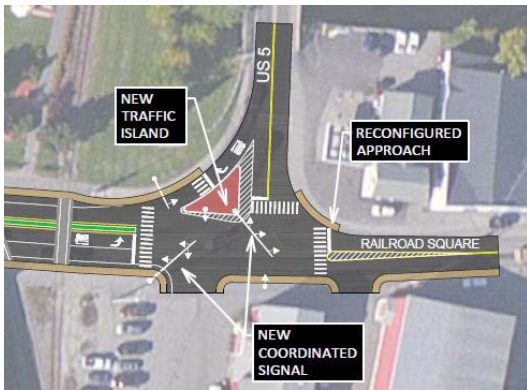




# Act 145 Projects Under Consideration

## US 5 Newport to Derby

CITY of NEWPORT: Main St-Causeway-Railroad Square

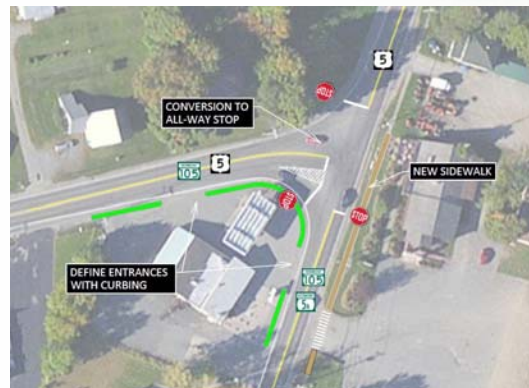


VTrans is working with NVDA to evaluate whether or not Act 145 Impact Fees should be established for these three intersections

•DERBY: I-91 Exit 28 SB Ramps-US 5



•DERBY: US 5-VT 105 (Cow Palace)







# On-Going Work

- Developing Rules
- Transportation Demand Management Guidelines
- Fee estimates for the US 5-Derby Corridor
- Fee Estimate for US 7-Exchange St Roundabout
- Exit 16 Fee Refinement

