

Henlopen TID

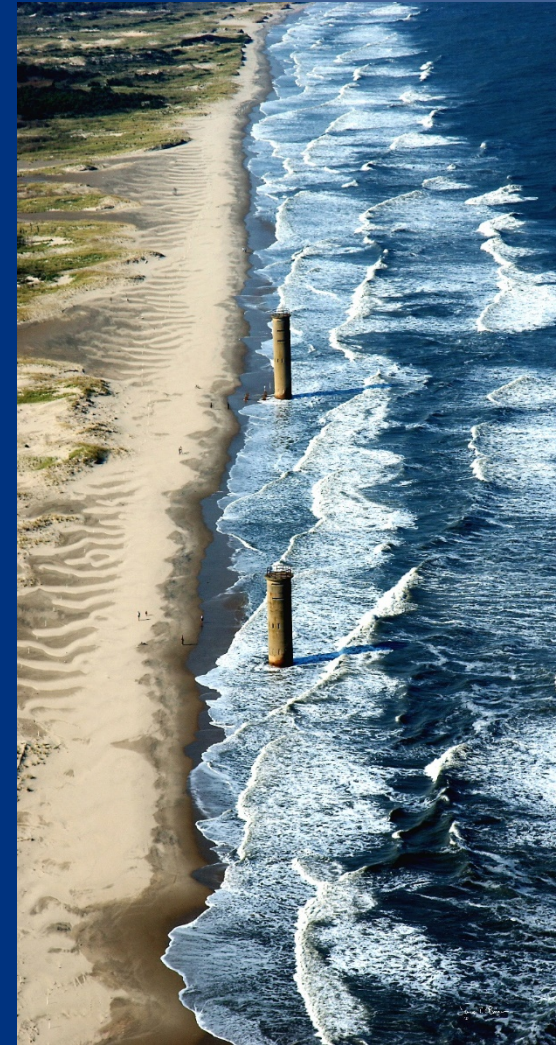
Agreements and Fee Schedule Review

Presentation to Sussex County Council
September 22, 2020



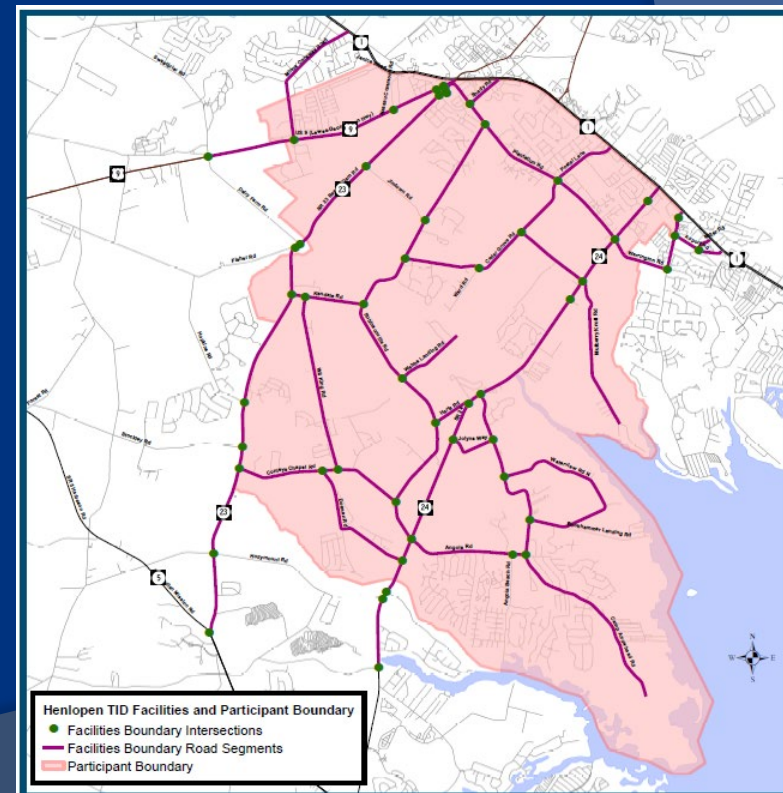
Objectives

- ⦿ Review terms of initial agreement to establish the TID
- ⦿ Review terms of infrastructure recoupment agreement to be executed with individual developers
- ⦿ Review infrastructure fee program
- ⦿ Discuss Next Steps



Initial TID Agreement- Included Elements

- Between DeIDOT and Sussex County
- Describes TID boundaries and includes map as Exhibit A
- Specifies 2045 as Target Horizon Year



Initial TID Agreement - Included Elements Continued

- ⦿ Includes specific service standards, presented at public workshop, as Exhibit B
- ⦿ Includes land use map and transportation improvement map (Land Use and Transportation Plan), and TID Capital Transportation Program as Exhibit C
- ⦿ Includes initial fee schedule as Exhibit D



Initial TID Agreement - Exhibit B

Service Standards

- LOS Standard - Minimum overall average intersection Level of Service D for weekday morning and evening peak hours
- Roadways proposed for improvements are to be upgraded to DelDOT standards, including 11-ft wide travel lanes, and paved shoulders with widths based on roadway Functional Classification
- On state-maintained roads, roundabouts were considered first as a means of intersection control in accordance with DelDOT Design Guidance Memorandum Number 1-26. This consideration was part of a larger intersection control evaluation that considered safety, capacity, and right-of-way need and property impacts.



Initial TID Agreement - Exhibit B

Service Standards (continued)

- Compliance with our Complete Streets Policy was assumed, and shared-use paths or sidewalks are recommended along at least one side of each roadway proposed for other improvements.
- As development occurs, DelDOT will continue to work with DART to address opportunities for new transit facilities.



Initial TID Agreement - Exhibit C

Land Use and Transportation Plan

Figure 1: 2045 Land Use Map

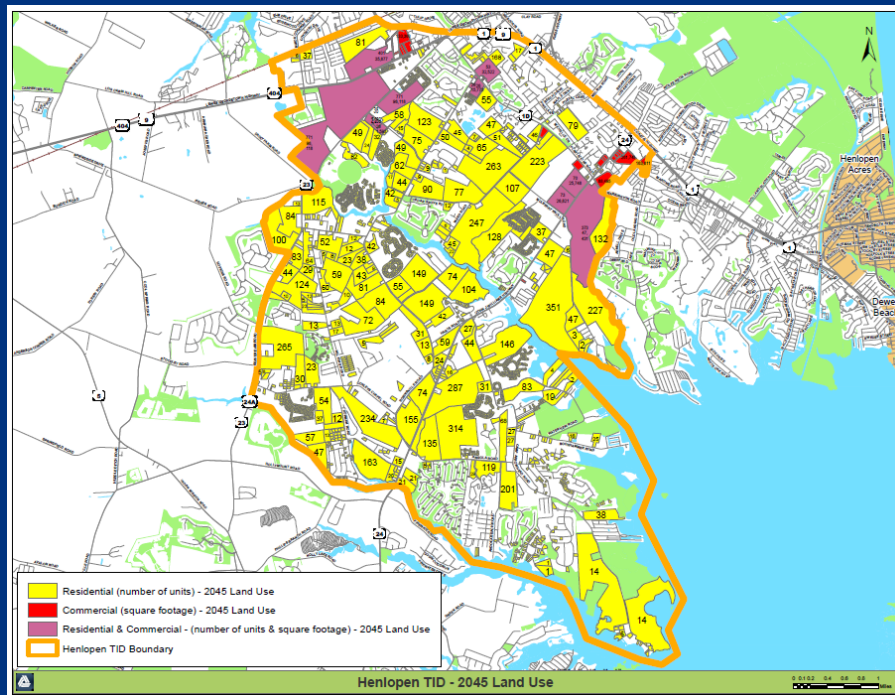
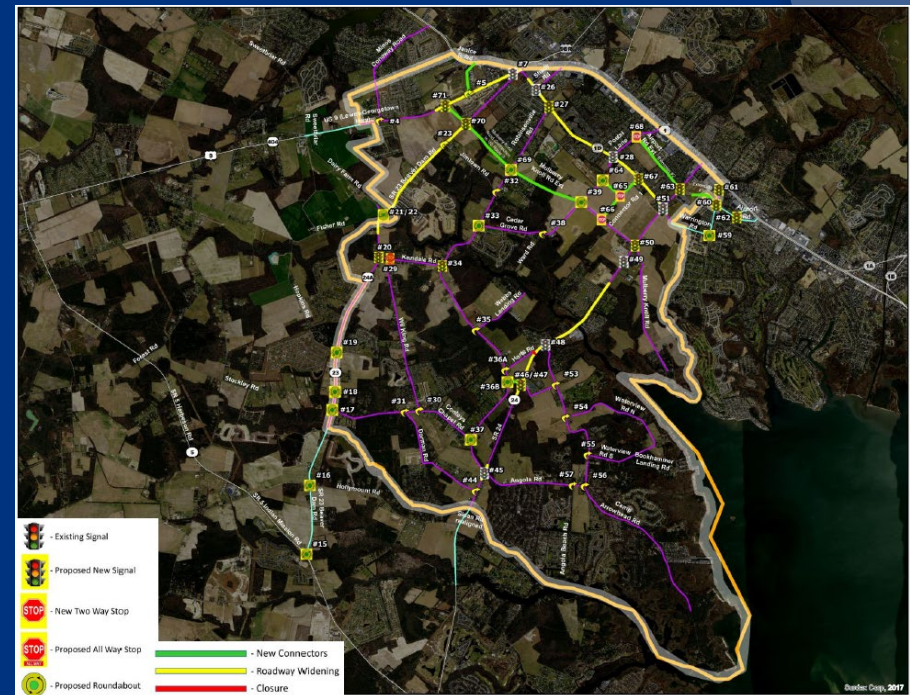


Figure 2: Transportation Improvements



Initial TID Agreement - Exhibit C

TID Capital Transportation Program

Segment Number	Road Name	Cost Estimate
1	Minos Conaway Road	\$5,519,250
3	US Route 9	\$19,825,593
13	SR 23, Indian Mission Road to Kendale Road	\$11,469,065
14	SR 23, Kendale Road to Plantation Road	\$22,410,565
15	Kendale Road	\$3,292,808
16	Wil King Road	\$9,543,170
17	Conleys Chapel Road	\$4,931,755
18	Dorman Road	\$6,816,425
20	SR 24, Hollylake Road to Camp Arrowhead Road	\$19,973,998
21	SR 24, Camp Arrowhead Road to Plantation Road	\$21,812,370
23	Robinsonville Road, SR24 to Kendale Road	\$18,247,953
24	Robinsonville Road, Kendale Road to Plantation Road	\$14,852,680
26	Plantation Road	\$20,819,863
27	Warrington Road (with Roundabout)	\$4,022,175
28	Shady Road	\$3,455,025
29	Postal Lane	\$4,584,498
30	Old Landing Road	\$6,503,570
31	Cedar Grove Road	\$9,738,320
33	Mulberry Knoll Road	\$11,536,483
33A	Mulberry Knoll Road Extension, Cedar Grove Road to US9	\$9,989,178
34	Airport Road (Existing Alignment), Old Landing Road to SR1	\$5,127,890
	Airport Road Extension (Alternative B), SR24 to Old Landing Road	\$6,377,228
35	Miller Road	\$1,555,798
36	Angola Road	\$4,077,605
38	Jolyns Way	\$4,058,945
39	Harts Road (Shortened)	\$847,810
40	Webbs Landing Road	\$1,753,613
41	Camp Arrowhead Road	\$10,376,953
42	Waterview Road	\$3,471,338
43	New Connector Road 1, Mulberry Knoll Road to Plantation Road	\$3,769,295
44	New Connector Road 2, Cedar Grove Road to New Connector Road 1	\$2,510,433
45	Airport Road Extension, SR 24 to Postal Lan	\$4,615,160
46	Nassau Commons Boulevard	\$5,705,898
Total		\$283,592,710



Initial TID Agreement – Development Types Excluded

- ⦿ Those determined by DeIDOT and County to be inconsistent with land use plan and to generate enough traffic to warrant a TIS, will be required to conduct TIS and, as necessary, contribute to off-site improvements
- ⦿ Development of Garage Studio Apartments



Initial TID Agreement – Administrative Procedures

- When updating the Comprehensive Plan, the County shall evaluate the need to amend boundaries, horizon year, service standards, and land use plan
- For updates to LUTP, DeIDOT will handle transportation analysis and project estimate updates
- Both parties agree to all changes and amend agreement



Initial TID Agreement – Administrative Procedures Continued

- County collects fees prior to issuance of building permits
- County holds fees in single TID account, to transfer to DelDOT upon DelDOT's request
- Manner and extent of developer participation to be documented on recorded subdivision or site plan and in an infrastructure recoupment agreement



Initial TID Agreement – Development Contributions

- ⦿ Dedication of rights-of-way for credit by agreement between developer and DelDOT, based on DelDOT valuation
- ⦿ Design and/or construction for credit by agreement between all three parties, based on developer payments, upon DelDOT approval of competitive bid process



Initial TID Agreement – Development Contributions Continued

- ◎ Construction of improvements required as part of development's entrance or on-site infrastructure is not creditable
 - This includes subdivision streets, and curb ramps, turn lanes, acceleration lanes at development entrance
 - Improvements beyond the site entrance, such as the addition or widening of shoulders, and/or the construction of a shared-use path or sidewalk along the development's frontage, are creditable, with creditable amounts determined by DeIDOT. (Shared-use Path and Sidewalk Fee Calculation Form used for those items)



Initial TID Agreement – Transitional Rules

- ⦿ The property owner and/or developer of any subdivision or site plan submitted before the effective date, may request participation in the TID, in lieu of completing a Traffic Impact Study and/or making off-site contributions
- ⦿ DeIDOT, the County, and the Property Owner shall work together to expedite the modification(s) to the Record Plan notes. The revision will be a ministerial review, incorporating the TID participation into the Record Plan notes. No review fees will be charged.



Initial TID Agreement – Monitoring Program

- ⦿ DelDOT to monitor traffic volumes
- ⦿ DelDOT to provide County with findings and recommendations in calendar year 2022 and at regular intervals not to exceed every 5 years.



Initial TID Agreement – Monitoring Program Continued

- ⦿ County shall, in odd numbered years, to coincide with development of the DelDOT Capital Transportation Program, recommend projects from the TID-CTP for inclusion in DelDOT's CTP.
- ⦿ Inclusion of recommended projects shall be subject to DelDOT's CTP prioritization process.



Initial TID Agreement – Public Involvement

- ⦿ County to publicize and host public meetings pertaining to procedural matters
- ⦿ DeIDOT public involvement process applies to specific transportation improvements to be made in TID.



Initial TID Agreement – Signatures

- ⦿ Secretary for DeIDOT
- ⦿ President of Council for County
- ⦿ Legal approves as to form



Infrastructure Recoupment Agreement - Included Elements

- ⦿ Between DelDOT, Sussex County, and each individual property owner
- ⦿ Property location and description, including map in Exhibit A.
- ⦿ Participation in TID in lieu of Traffic Impact Study and other property owner benefits



Infrastructure Recoupment Agreement

- Included Elements Continued

- ⦿ Includes right-of-way dedication requirements, specifying that standard dedications, and rights-of-way for proposed subdivision streets and site entrance are not creditable
- ⦿ Contribution timing- prior to building permit issuance



Infrastructure Recoupment Agreement - Included Elements Continued

- Initial and Current Contribution Rates, listed in Exhibits B and C

EXHIBIT C

HENLOPEN TID TRANSPORTATION INFRASTRUCTURE RECOUPMENT AGREEMENT

Initial Property Contribution Accounting

Property Identification	Owner	Use	Size (units/sf)*	Unit Cost	Total Committed	Cash Paid	Recoupment Credit	Escalation	Balance Due*
					\$ -				\$ -
* includes escalation through Jan. 31, _____					\$ -	\$ -	\$ -	\$ -	\$ -
* = projected, may change over time									
TOTAL CONTRIBUTED					As of:				\$0.00

NOTE: Figures for "Use" Column are approximate and subject to verification at the time of payment.

- Terms of annual fee escalation on January 31, based on Consumer Price Index, up to 4%



Infrastructure Recoupment Agreement - Included Elements Continued

- ⦿ Includes Notification of contribution requirement on final site plan
- ⦿ Developer design/build credit process, matches terms of initial TID agreement



Infrastructure Recoupment Agreement - Included Elements Continued

- Recoupment credit agreement form as Exhibit D.

Exhibit D
Henlopen TID Recoupment Credit Agreement
Agreement No. _____

Development Project

- Development Name _____
- Developer _____
- Total Required Financial Contribution for Development _____
(per Recoupment Agreement)

Henlopen TID Project

- Name of Project _____
- Section of Project _____
(Attach plan)
- Items Constructed _____
- Total Estimated Cost of Section to be Constructed _____
(Attach cost estimate)

Recoupment Calculation

Estimated Cost of Items Required for Development	\$ _____
Estimated Cost of Items Required for Other Developments	\$ _____
Estimated Cost of Items Eligible for Recoupment	\$ _____
TOTAL	\$ _____ (Attach breakout plan)

**Note - Total must equal Total Estimated Cost of Construction*

Agreement

For performing construction work on the above named Henlopen TID Project, the above named development is credited the following amount toward the Henlopen TID Fund required contribution. \$ _____

Developer Date

Sussex County Date

Delaware Department of Transportation Date



Infrastructure Recoupment Agreement – Administrative Procedures

- ⦿ Amending Record Plans for TID participation and no charging of review fees
- ⦿ The Property Owner shall record a notice of this Agreement, so as to put potential future purchasers of the Property on notice of the obligations created by this Agreement.



Infrastructure Recoupment Agreement

– Signatures

- ⦿ Property Owner
- ⦿ President of Council or designee for County
- ⦿ Secretary or designee for DeIDOT
- ⦿ DeIDOT Legal approves as to form
- ⦿ All Signatures notarized



Infrastructure Fee Program

- Developer contributions are estimated to be about 23.46% of the costs of improvements

Residential Rates	
Single family detached residential	\$4,900 per unit by phase
	\$5,145 per unit by lot
Multi-family residential, low-rise, 1-2 floors	\$3,822 per unit by phase
	\$4,013 per unit by lot
Multi-family residential, mid-rise, 3 or more floors	\$2,842 per unit by phase
	\$2,984 per unit by lot
Non-Residential Rates	
Under 21 trips per 1,000 SF GFA	\$2.88 per sq ft
At least 21 but less than 34 trips per 1,000 SF GFA	\$3.38 per sq ft
At least 34 but less than 75 trips per 1,000 SF GFA	\$3.88 per sq ft
At least 75 but less than 200 trips per 1,000 SF GFA	\$4.38 per sq ft
200 or more trips per 1,000 SF GFA	\$4.88 per sq ft
Notes: Low-rise Multi-family rate is 78% of single-family detached rate. Mid-rise Multi-family rate is 58% of single-family detached rate. Townhomes are considered low-rise multi-family. All non-residential rates are based on the number of trips per 1,000 square foot of gross floor area. This is based on ITE Trip Generation Manual, 10th Edition.	



Questions?

◎ Please contact:

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