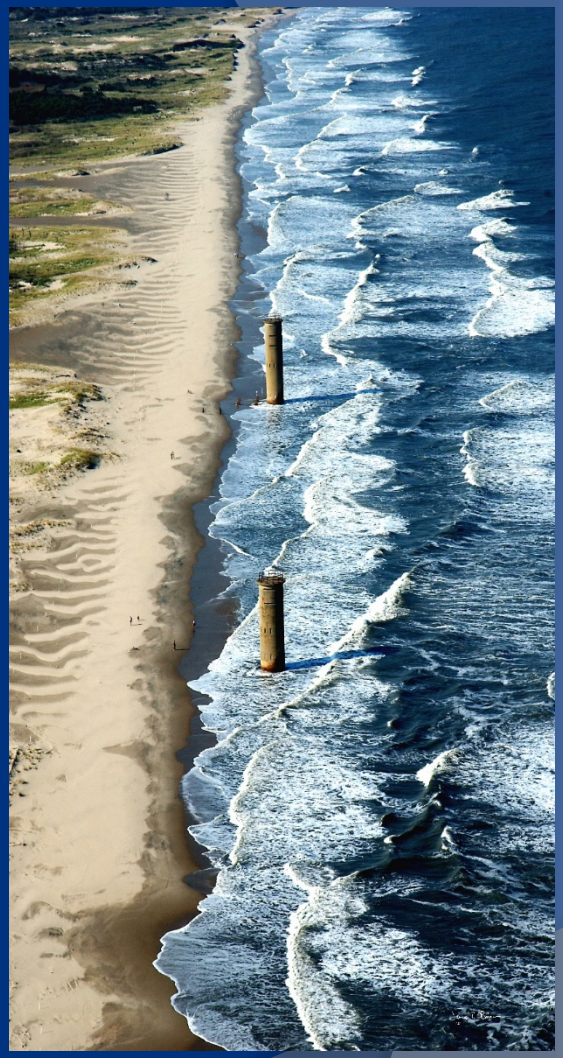
Henlopen TID

Agreements and Fee Schedule Review

Presentation to Sussex County Council
September 22, 2020

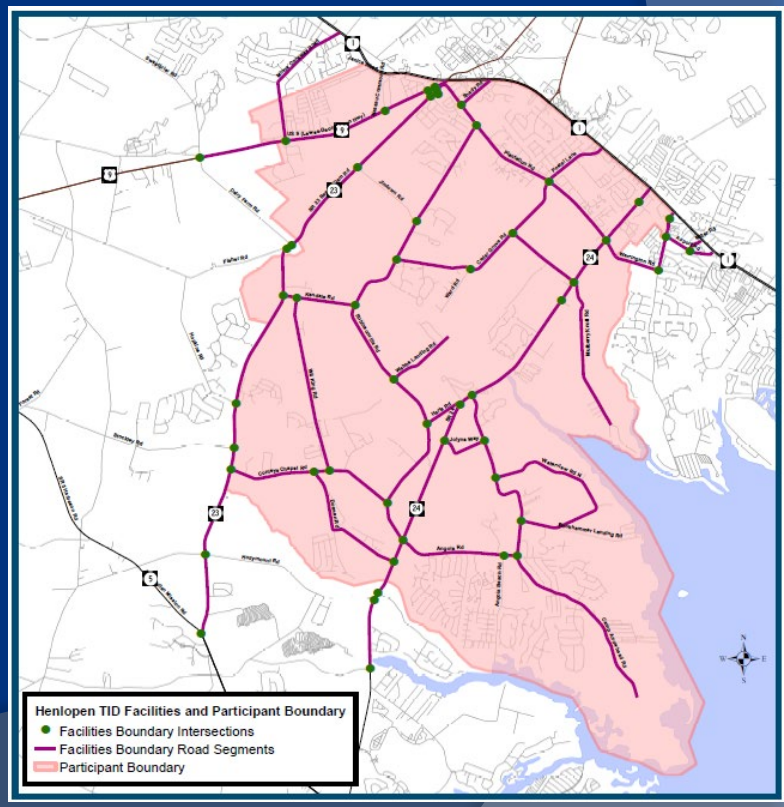
Objectives

- 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 DelDOT 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

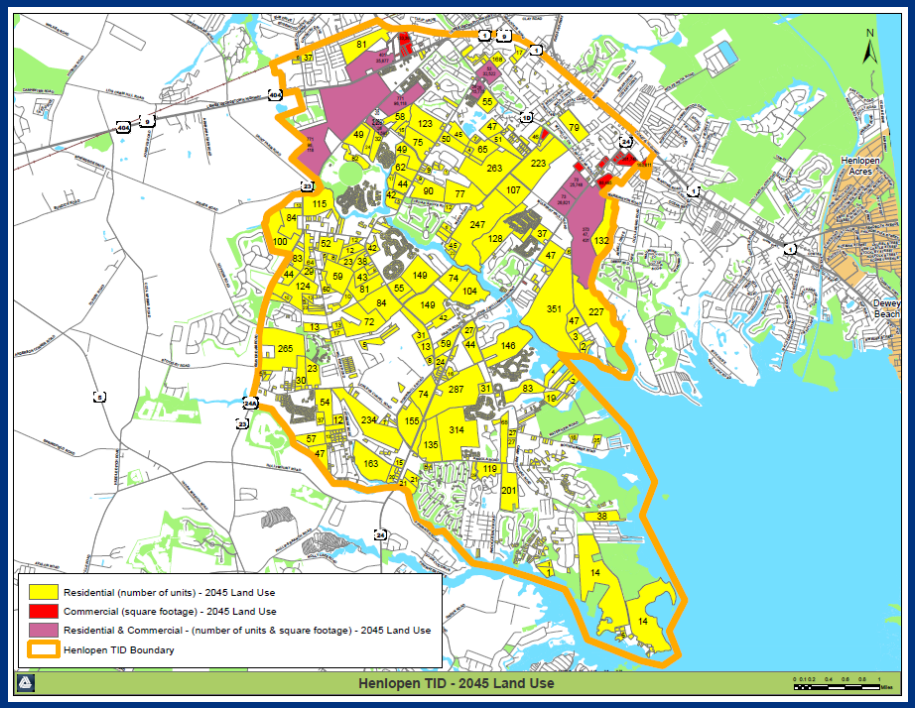


Figure 2: Transportation Improvements



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 DelDOT 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, DelDOT 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 DelDOT. (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

- DelDOT, 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

- DelDOT public involvement process applies to specific transportation improvements to be made in TID.



Initial TID Agreement – Signatures

- Secretary for DelDOT
- 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 Commited	Cash Paid	Recoupment Credit	Escalation	Balance Due*
					$ -				$ -
					$ -	$ -	$ -	$ -	$ -

** includes escalation through Jan. 31, _____*

[a] = 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.

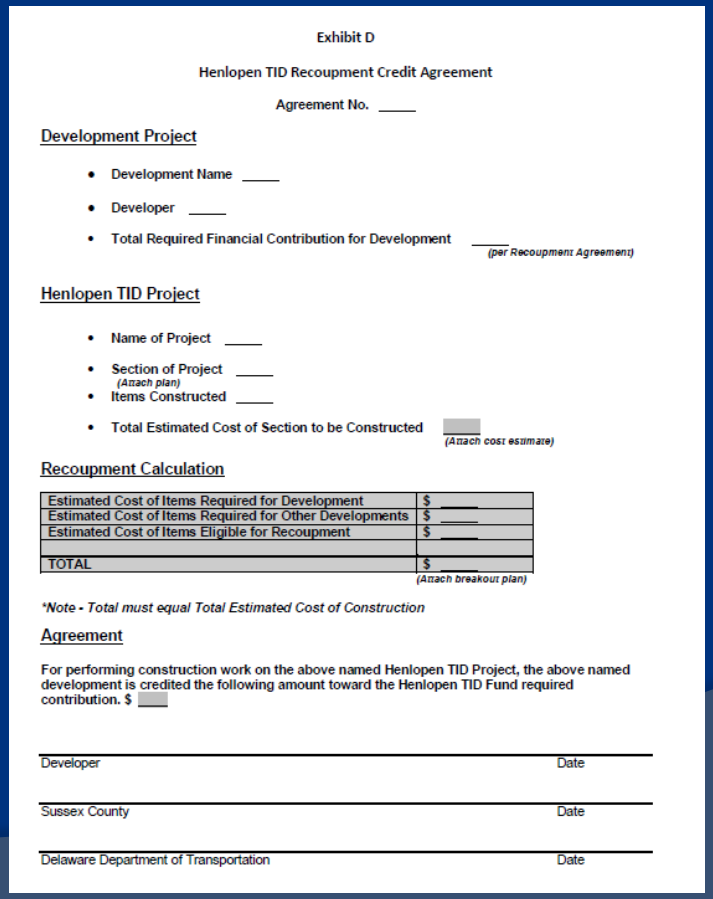


Exhibit D

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 DelDOT
- DelDOT 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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    (302) 760-2236