

Land Use and Transportation



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Situation

- Since 1932 the State has planned and built transportation facilities while localities made land use decisions
- Governor Kaine came to office with the goal of reducing this disconnect and improving the coordination between transportation and land use planning

Time of Change

- Virginia has seen significant progress on land use reform in the last two years
- In particular changes that strengthen the coordination between transportation and land use planning

Significant Changes

- Transfer of Development Rights
- Conditional Zoning Expansion
- Road Impact Fees
- Urban Development Areas
- Secondary Street Acceptance Requirements
- Access Management
- Traffic Impact Analysis
- Urban Transportation Service Districts
- Enhanced Impact Fees
- Regional Performance Measures
- Grantor's Tax for Regional Transportation Revenue

Transfer of Development Rights (SB373 2006)

- A locality may set up a system where development rights from one area (sending) may be transferred to another area (receiving) within its boundaries or the boundaries of the neighboring city/town

Expansion of Conditional Zoning

- Legislation enacted during the 2007 General Assembly Session (HB 2500) that:
 - Allows most localities to accept Northern Virginia style proffers
 - Proffers may be used for a wide range of improvements
 - Proffers can include substantial cash payments, real property of substantial value and construction of substantial value

Urban Development Areas

- House Bill 3202 (2007) requires 67 high growth localities to establish Urban Development Areas
- Localities must allow for compact densities of at least 4 units per acre
- Must incorporate New Urbanism design principles such as inter-connected road network, pedestrian accommodations

Road Impact Fees

- House Bill 3202 (2007) expanded the number of localities with the authority to impose road impact fees (from 8 to 67)
- Localities eligible are the same localities that must establish Urban Development Areas

Road Impact Fees

- Impact fees may be charged in addition to proffers, provided credit is given for transportation related proffer contributions
- Impact fees may be assessed for road improvements that “benefit” the development, not just for road improvements that are “necessitated by and attributable to” the development

Road Impact Fees

- A locality may designate “impact fee service area,” and assess impact fees on development within the service area
- VDOT is working with a consultant and stakeholders to put together a Model Impact Fee Ordinance that will be part of a larger Impact Fee Handbook, that will be available to provide assistance to localities

Secondary Street Acceptance Requirements

- Senate Bill 1181 (2007) requires the Commonwealth Transportation Board to adopt new requirements for the acceptance of secondary streets

Secondary Street Acceptance Requirements

- There requirements shall include, but need not be limited to:
 - Connectivity of road and pedestrian networks
 - Minimize impervious surface area
 - Reduce stormwater run-off
 - Performance bonding requirements

Access Management

- Senate Bill 1312/House Bill 2228 (2007) require VDOT to develop access management standards, the goal of these standards is to:
 - Reduce traffic congestion and impacts to the level of service of highways
 - Enhance public safety by decreasing traffic crash rates
 - Support economic development through the efficient movement of people and goods
 - Reduce the need for new highways and road widening by improving the performance of the existing systems of state highways; and
 - Preserve public investment in new highways by maximizing their performance

Traffic Impact Analysis

(SB699 2006)

- This will provide accurate information on the impacts of a development on the transportation network to citizens and local decision makers
- VDOT's comments are advisory in nature
- Transparency and Uniformity are the goals

Traffic Impact Analysis

- VDOT is phasing its implementation of this regulation as follows
 - July 1, 2007: Northern Virginia, Richmond, and Salem Districts.
 - January 1, 2008: Culpeper, Fredericksburg, and Staunton Districts.
 - July 1, 2008: Bristol, Hampton Roads, and Lynchburg Districts

Within each district VDOT will phase implementation based on the size of a development (larger developments first)

Urban Transportation Service Districts

- House Bill 3202 (2007) allows “urban counties” to establish an Urban Transportation Service District to maintain roadways within the county. Eligible counties are Fairfax, Loudoun, Prince William, Spotsylvania, Stafford, and Chesterfield
- Boundaries of such a district should be similar to that of a town
- Localities receive “urban” street maintenance payments
- These localities can impose impact fees for most public facilities, not just roads (except Chesterfield)

Regional Performance Measures

- The Hampton Roads and Northern Virginia regions, with the concurrence of the Commonwealth Transportation Board, must develop as part of a long-range plan quantifiable measures and achievable goals relating to, but not limited to, the following:
 - congestion reduction and safety
 - transit and high-occupancy vehicle (HOV) usage
 - job-to-housing ratios
 - job and housing access to transit and pedestrian facilities
 - air quality
 - per-capita vehicle miles traveled

Grantor's Tax for Transportation

- House Bill 3202 created two regional authorities, in Hampton Roads and Northern Virginia
- Both Authorities may impose a fee of \$0.40 per \$100 of the sale price of homes, land or other realty
 - Northern Virginia will impose fee starting Jan 1, 2008
 - Hampton Roads will impose fee starting April 1, 2008

Moving Forward

- These changes present a clear charge from the Governor and the General Assembly. Our task is to make it work for our communities.