

PACTS

Portland Area Comprehensive Transportation System

**PACTS
Transit Committee
Meeting Notice**

Thursday, January 8, 2008, 10:00 a.m.

(Following the Joint Planning/Transit Meeting @9:00 a.m).

GPCOG, 68 Marginal Way

Agenda

- 1. Call to order**
- 2. Approval of Minutes from the last meeting (attached)**
- 3. Status Reports (attached) – 30 min.**
- 4. Review Timeline/Work Plan (attached) – 5 min.**
- 5. Allocation Formula for Section 5307 and STIC Funds – 30 min.**
 - As requested by the Committee, attached is the “test” of applying a change to the weighted values for demand-response services (Draft - for discussion only)**
- 6. PACTS Transit Study Implementation Status Reports – 30 min.**
 - a. Regional Map and Timetable**
 - b. Regional Route Study**
 - c. Transit Planning in Comprehensive Planning Process**
 - d. Regional Pass System**
 - e. Other – in order of priority**
- 7. Information Sharing/Round Table Discussion/Check-In/What’s Up**
- 8. Other Business**
- 9. Next Meeting Date and Agenda (February 12th @ 9:30 a.m., at Saco City Hall)**
- 10. Adjourn**

Attachments: December 11 PTC minutes, Status Reports, Timeline/Work Plan, School Bus fact sheet, Transit TIF Building Blocks document

PACTS Transit Committee Minutes
December 11, 2008
9:30 a.m. at GPCOG

Members Present: Ed Clifford, ShuttleBus/ZOOM, Chair; Chuck Baker, RTP; Catherine Debo, CBITD; Sara Devlin, MTA; Connie Garber, YCCAC; Tom Meyers, SPBS; Len Mulligan (for Patricia Quinn), NNEPRA; David Redlefsen, METRO

Members Absent: Sara Behr, MaineDOT; John Bubier, Biddeford; Tom Gorrill, Policy Com. Appt.

Staff and Guests: Maddy Adams; GPCOG; Susan Davis, MNGRR; Tony Donovan; John Duncan, PACTS; Hilary Frenkel, League of Young Voters; Judy Harris, Portland; Rosi Kulow, GPCOG; Steve Linnell, GPCOG; Tom Reinauer, SMRPC; Robert Wagner

1. **Call to Order.** Catherine Debo, Vice-Chair, called the meeting to order at 9:35 (Ed Clifford, Chair, had not yet arrived). Introductions were made.
2. **Approval of Minutes from November 13, 2008.** *Connie Garber made a motion to approve the minutes of the November 13th meeting. Tom Meyers seconded the motion and all were in favor.*
3. **Status Reports.**
 - On January 8th, the Planning Committee and Transit Committee will meet jointly.
 - The TIP Process Committee is scheduled to meet this afternoon. There will be a discussion about the set-aside policy at that meeting.
 - Tex's TIF report was distributed. Tom M. reported that Tex Haeuser met with the Commissioner, Senator Dennis Damon and Greg Nadeau and they were all very receptive to the TIF idea. Larry Bliss and Jane Eberle are sponsoring a bill regarding same. The intent is to broaden the base and application of the proposal. The TIF idea is not a mandate; it is just something to consider.
 - There was a meeting on December 3rd with managers and MaineDOT to brainstorm ideas for leveraging more money per the Melrose/Eyerman report. The report is complete; it was distributed. New funding sources were not in the scope of the report.
 - John D. met with the Town of Falmouth regarding the HPP list and they liked the list. Portland will schedule a time in January for John to meet with them. If your transit board would like a presentation from PACTS, please let John know.
 - Veterans Bridge – MaineDOT will rebuild the bridge. Paul and Carl are working with Tex H. and bicycle enthusiasts about bike paths.
 - TMA summary was included in the meeting packet. "Split agreements" (mentioned on page 7 at bottom) means splitting up the 5307 funds. John explained that it may involve signing some papers. Federal Guideway Funding (on page 8, #5, 5308) – how many more years before that will be available? Not sure but it should be coming up fairly soon.
 - NGV workshop in New Hampshire was a great success; people even stayed for the tour. Falmouth and Cumberland may be doing something together to build a natural gas station.
 - A Legislative Breakfast sponsored by the County will be held on December 17 at the Holiday Inn. PACTS is doing a transportation forum on December 19th with Transportation Committee Co-Chair Dennis Damon at the Ocean Gateway Terminal. The transportation workshop that was held two years ago was very successful. At the December

18 Policy Committee meeting, the economic stimulus will be discussed; several legislative federal guests have been invited. Obviously the economic stimulus will probably be brought up at the transportation forum as well. The hardest part is getting the elected officials to attend the forum.

- An ASCE report card was distributed.
- PACTS is working with South Portland to put together an educational campaign on TIFs and TODs. They are looking for funding to do this.
- The GPCOG economic sustainability forum originally scheduled for December 10th has been postponed to March 27th.
- There was a transportation meeting in Augusta last week – good networking opportunity. Connie mentioned that there was a panel presentation on public transportation but it didn't include any providers from Maine. Steve attended that session and heard how BIW was doing their own vanpool program outside of the GoMaine program.
- Steve – MaineDOT regional planning summit – RPCs got together and talked about tools for making transportation and land use work together.
- Susan asked if GoMaine could provide a van or bus to provide rides up to Sugarloaf. Connie responded that the Mountain Explorer through Western Maine is supporting bus transportation to Sugarloaf.

4. **Review Timeline/Work Plan** No changes.

5. **Review and Approve Allocation Formula for Section 5307 and STIC Funds.** All of the information has been plugged in. Connie explained that this is an instance where the formula looks at revenue and vehicle miles, and RTP and YCCAC try to provide more service with less miles and they get penalized for it. Could they get some kind of an amount (reward) set aside for them? Tom M. responded that RTP is showing a 28% increase so it doesn't look like they need a reward. He understands Connie's argument because she was trying to do what was right for her agency. Perhaps some kind of efficiency might be built in. Catherine thought we should stick with the formula -- there will be winners and there will be losers but nobody totally loses because everybody still gets the standard amount. Connie noted that we all signed off on the formula; in retrospect we didn't delve into the question of if there is a direct connection between increased revenue vehicle miles and increased service.

An additional question that should be asked is if new or expanded service was provided. It could go either way depending on what you do. With demand response, you don't have control over the calls. Connie asked what it would look like if demand response got 10% for vehicle miles and 90% for boardings. Chuck said that RTP is happy with the formula as it is. Connie felt that the whole point for the incentive (STIC) is to reward those areas that have built up more service by providing more efficient and effective service. Chuck explained that they picked up a lot of bus routes that were further out in distance. They ran their service differently this year than they have in the past. Catherine stated that the idea was to get rewarded for introducing new elements – new routes, etc. Tom M. recommended that we stick with what we have for this year and re-evaluate it again next year. There was further discussion and all agreed to look at the information with the change in percentages (10% for vehicles miles and 90% for boardings) for demand response services. The next step in the process is to make a recommendation to the Policy Committee to approve the formula; we hope to have it on the next Policy Committee agenda. Tom R. explained that the

Policy Committee already approved the formula; they only need to approve this once the numbers get plugged in unless the formula is changed.

6. PACTS Transit Study Implementation Status Reports

6a. Regional Map and Timetable. The one change in the scope was that any and all products should belong to PACTS/GPCOG; no further comments were received. Design and printing costs are estimated at \$8,000-\$10,000 each. Full color 12 page = \$8,000 for 20,000 copies. Tom R. proposed that a smaller group get together to work out the details.

Hilary Frenkel from the League of Young Voters reported that they are working on an on-line map version of bus routes through Google. They will be holding a meeting on Wednesday at 2:00 at the LYV office. Carey Shapiro of Next Insight is working with them. They have an estimated total cost of \$4000 a year to do this and it could be up and running in two weeks. Hilary will send the information to Steve. It was asked how the service would be sustained. Hilary responded that they would need a representative from each agency on-board.

6b. Regional Route Study. This includes a timeline and budget. We are still waiting on the Peninsula Transit study to be completed before we move forward on this. It was mentioned that there may be budget cuts in Portland that will cut school buses for high schools. If METRO buses are used as school buses, there are certain FTA regulations about what they can and cannot do. It was recommended that a list be put together regarding what public buses CAN do and what they CANNOT do as it relates to transportation to and from schools.

6c. Transit Planning in Comprehensive Planning Process. Tex Haeuser has been working on the issue of TOD. It was suggested that Tex be invited to speak at the joint Planning/Transit meeting in January.

6d. Regional Pass System. The committee met and they are going through the numbers. They are trying to come up with a rough estimate of how many people would be interested in buying a regional pass. They will be meeting again in January.

6e. Other. Proposed Administrative Modifications to PACTS 2008/2009 UPWP. 5303 Funds. Task 7 is Program Support; Task 8 is Short Range Support; Task 9 is Long Range Support (broken out to show system and planning); Task 10 is Mapping and Technology. Tasks 7 and Task 10 got the additional \$73,824. Most of the projects are in long range planning. ***Connie Garber made a motion to approve adoption of the proposed changes to the UPWP. Tom Meyers seconded the motion and all were in favor.*** Connie suggested that going forward it would be helpful to have the elements, tasks and amounts identified.

7. Information Sharing/Round Table Discussion.

- David R – slight change to the Route 1 bus – 34 trips will be reduced to 30 trips and will include a trip to Mercy Hospital.
- Chuck got a new two-way radio system. They have installed CometTracker.
- Tom M. – 11.7% increase in ridership in the last quarter.
- Tom M. – SPBS has received \$2,500 in CDBG funds for free bus passes. They are developing a written policy about how to approve and qualify people for the bus passes.

- Ed –Increased fares for ZOOM are being proposed. It is currently \$3.00 a ride or \$58 for a monthly pass. They would like to increase it to \$5.00 a ride and \$80 for a monthly pass. A public hearing is scheduled for January 14 and they would like to have the fare increase adopted by February 1.
- Ed - The Exit 36 park and ride lot is always filled so people have been asked to park at the old Exit 5 lot; starting on Monday the ZOOM will start picking up riders at the Exit 5 lot. They are considering eliminating the 5:25 a.m. and 5:55 p.m. ZOOM runs.
- A meeting is being scheduled to talk with MaineDOT Purchasing about the process of vehicle procurement.
- Free Fare Fridays is in effect until New Year's. Transit providers have not yet been reimbursed from last year's Free Fare Friday event.
- Tom R. mentioned that Kat Fuller appreciates hearing from people if they have issues.

8. **Other Business.** Not addressed.

9. **Next Meeting Date.** There will be a joint meeting with the Planning Committee on January 8th at 9:30, followed by a Transit Committee meeting at 10:30.

10. **Adjourn.** The meeting adjourned at 12:25 p.m.

Agenda Item #3

Status Reports (Updated by Carl Eppich and Tom Reinauer)

- PACTS has funded a TOD/Transit educational campaign in collaboration with South Portland with the goals of (1) educating the general public, city and state officials about the benefits of Transit and TOD; and (2) to educate city and state officials and legislators about how Tax Increment Financing (TIF) works and how it could be applied to TOD in the State of Maine. This effort involves the development of educational materials, such as a Transit and TOD website designed for targeted groups (i.e. a section for legislators, a section for consumer citizen education, etc.), brochures and other reading materials, and a PowerPoint type presentation for presenting to local audiences.
- PACTS staff is also working with South Portland to start drafting amendments to the existing TIF statute to add Transit TIF's. Some questions that need to be addressed include: Can they be 100% exempt from the 5% cap on land area of a municipality in TIF's? How large a portion of the TIF revenues from a new development can a municipality capture for transit or (alt. modes)? How big a TIF area can go around a transit TOD and how wide a TIF "band" can go on either side of a designated transit route? The initial work will be to assess the basic approach, in terms of primary TOD's and contributing development, etc., and see if everyone understands and agrees with it.

Committee Updates

- Executive Committee
 - Initiated the December 19th PACTS Legislators' Forum at Ocean Gateway
 - Prepared Policy Committee agenda

- Members and staff shared between committees
- Planning Committee topics
 - Did not meet in December
 - Meeting with Transit on January 8th session with the Transit Committee (start at 9:00am)
 - Tex Haeuser's Transit TIF District amendment to TIF legislation is moving forward. *[See attachment "Transit TIF Building Blocks"]*
- Technical Committee
 - Reviewed proposed changes to 2010/2011 projects list
 - Discussed at length the concept of local project administration by PACTS staff or consultant
 - Discussed federal economic stimulus
 - Discussed PACTS regional traffic signal management system with Carl Eppich
- 2012-2013 TIP Process Committee -met initially December 11th
 - Next meeting January 9th at 8:30am at PACTS
- PACTS is hosting the first Veteran's Bridge Stakeholders meeting on January 15th at 3:30PM. MaineDOT and PACTS has been working with the cities of South Portland and Portland and others to determine what is needed for the new bridge to accommodate all users of the bridge, including bicyclists pedestrians and future transit. Staff is playing an active role in the fast track planning for the complete replacement of the Veteran's Bridge slated for 2010.
- John Duncan has made two presentations to councils (Falmouth and South Portland) so far regarding our **High Priority Project** three final candidates. This effort wil also include your transit boards.
- *Development of next UPWP this winter/spring.*

Other Updates

1. PACTS outreach/visibility work:
 - Our three recent very successful "**sandwich symposia**" on bicycling topics (July), traffic calming (Sept) and "complete streets" (Nov). Average attendance has been 21 people.
 - Bill Shane, Rick Michaud and John Duncan are highlighted in the current issue of **Maine Trails**, the MBTA magazine, in an article about PACTS.
2. Policy Committee members are invited to the January 13th Technical Committee meeting (8:30 a.m.) to participate in a discussion of the final report of our **Regional Collectors Assessment Study**.

3. Next month we will begin the development of **our next two-year planning budget**. Highlights will include:
 - Hire a PACTS staffer (or consultant) to do local project administration work?
 - Hire a PACTS staffer (or consultant) to manage a PACTS regional traffic signal management system?
 - Invest in an improved version of the PACTS regional travel demand model with enhanced graphics functions?
 - Preparation in 2010 of an update of *Destination Tomorrow*
 - We will solicit study proposals from members.

4. Go to this website to sign up for reports on federal reauthorization from Congressman Michaud:
http://www.michaud.house.gov/index.php?option=com_content&task=view&id=143&Itemid=37

5. GPCOG has decided to postpone the Forum on Sustainable Economic Development until the spring. The new date is March 27th.

Agenda Item #4

Draft Timeline/Work Plan for the PACTS Transit Committee

DRAFT 1/5/2009

Fiscal Year 2009:

<i>July 2008</i>	Review criteria for submitting proposals for 2010/2011 STP Capital
<i>August</i>	
<i>September</i>	
<i>October</i>	↓ Review and Approve Allocation Formula for 5307 and STIC
<i>November</i>	<u>Regional Transit Study; Annual Report</u> Provider information (ridership, miles, etc.) due
<i>December</i>	
<i>January 2009</i>	FTA Budget announced (tentative) Public Comment/TIP Amendment Operators submit requests for planning functions and funding for UPWP
<i>February</i>	Draft Unified Planning Work Program (UPWP) submitted and first review
<i>March</i>	Review UPWP
<i>April</i>	Complete recommendations to Policy Committee re: UPWP
<i>May</i>	
<i>June 2009</i>	Annual evaluation of Committee (year 5)

Fiscal Year 2010:

<i>July 2009</i>	
<i>August</i>	<i>Provide input to PACTS Process Review</i>
<i>September</i>	<i>Participate in PACTS TIP Process Review, including JARC</i>
<i>October</i>	Approve Allocation Formula for 5307 and STIC

<i>November</i>	Public comment period for Section 5303 and 5307 funds, '10/'11 (pending release of Federal Register notice) Develop Study Proposals for 5303 and 5307 Planning funds Provider information (ridership, miles, etc.) due
<i>December</i>	
<i>January 2010</i>	Submit recommendation to Policy Committee for FTA Section 5307 funds
<i>February</i>	<i>Submit STP proposals to staff for ratings</i> Public Comment Period... Update TIP
<i>March</i>	FTA Budget announced
<i>April</i>	Appoint Nominating Committee for new Officers Adopt STP proposals for submission to Policy Committee
May	
<i>June</i>	Annual evaluation of Committee (year 6) Elect New Committee Officers

Other tasks:

- Execute the Implementation Schedule for the ***Regional Transit Coordination Study***.
- Provide assistance and coordination for implementing ***Destination Tomorrow*** and associated studies and plans
- Determine level of involvement of the Committee wishes to have in ongoing studies such as:
 - Peninsula Transit Study
 - Passenger Rail to Brunswick
 - Transit Oriented Zoning
 - Maine Narrow Gauge RR Extension Study
 - Other future studies
- Begin orientation of what it will mean to be a part of a Transportation Management Area
- Respond to Policy Committee requests for action, information or recommendations as needed

Glossary of Terms

AVL	Automatic Vehicle Location
BOP	Biennial Operations Plan (MDOT)
BTIP	Biennial Transportation Improvement Program (MDOT)
CMAQ	Congestion Mitigation Air Quality Program (Federal Funds)
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
ISTEA	Intermodal Surface Transportation Efficiency Act
ITS	Intelligent Transportation Systems
JARC	Job Access & Reverse Commute
MDOT	Maine Department of Transportation
MPO	Metropolitan Planning Organization (PACTS, KACTS, ATRC, BACTS)
NNEPRA	Northern New England Passenger Rail Authority (Downeaster, contracts with Amtrak)
OPT	Office of Passenger Transportation (MDOT)
PACTS	Portland Area Comprehensive Transportation Study (Portland Area MPO)
SAFETEA-LU	Safe, Affordable, Flexible, Efficient, Transportation Act –Legacy for Users
STIC	Small Transit Intensive Cities
STIP	Statewide Transportation Improvement Program
STPA	Sensible Transportation Policy Act
STP	Surface Transportation Program (Federal Funds)

TE	Transportation Enhancement Program (Federal Funds)
TEA-21	Transportation Equity Act for the 21 st Century
TIP	Transportation Improvement Program (PACTS)
UPWP	Unified Planning Work Program
5303	FTA Planning Program
5307	FTA Urbanized Assistance

Agenda Item # 5

Allocation Formula for Section 5307 and STIC Funds

Staff will provide the outcomes generated from the request to look at the results to the formula of changing the weights of vehicle miles and boardings for the demand-response services.

Agenda Item #6 a.

Regional Map and Timetable

Staff will provide an update of meeting with the League of Young Voters regarding internet-based information and mapping for transit services.

Agenda Item #6 b.

Awaiting completion of the Peninsula Transit Study.

Agenda Item #6 c.

Transit Planning in Comprehensive Planning Process

Follow-up discussion (if needed) following the Joint Planning and Transit Committee meeting.

Agenda Item #6 d.

Regional Fare Card Meeting

Next meeting of the subcommittee is scheduled for January 16th at 11am at GPCOG.

PACTS Transit Committee Roster

Updated on 12/1/2008

Members	Affiliation	Phone	Email
John Bubier	City of Biddeford	284-9313	jbubier@biddefordmaine.org
Ed Clifford - Chair	ShuttleBus/ZOOM	282-5408	director@shuttlebus-zoom.com
Jack Debaradinis	RTP	774-2666 x 13	jackd@rtprides.org
Catherine Debo - Vice-Chair	CBITD	774-7871 x103	cdebo@cascoabaylines.com
Barbara Donovan	MaineDOT	624-3245	barbara.donovan@maine.gov
Connie Garber	YCCAC	324-5762 x 2930	cgarber@yccac.org
Tom Gorrill	Gorrill-Palmer	657-6910	tgorrill@gorrillpalmer.com
Sara Devlin	MTA	871-7771 x111	sdevlin@maineturnpike.com
Alex Jaegerman	City of Portland	874-8724	AQJ@portlandmaine.gov
Tom Meyers	SPBS	767-5556	tmeyers@southportland.org
Patricia Quinn	NNEPRA	780-1000 x105	patricia@nnepra.com
David Redlefsen	METRO	774-0351 x17	dredlef@gpmetrobus.com
Private Optr Seat	See below		
Staff			
Maddy Adams	GPCOG	774-9891	madams@gpcog.org
Steven Linnell	GPCOG	774-9891	slinnell@gpcog.org
Tom Reinauer	SMRPC	324-2952	treinauer@smrpc.org
Carl Eppich	PACTS	774-9891	ceppich@gpcog.org
Others and Alternates			
Sara Behr	MaineDOT	624-3255	sara.behr@maine.gov
Chuck Baker	RTP	224-2666 x16	chuckb@rtprides.org
Kevin Donoghue	Portland City Councilor		kjdonoghue@yahoo.com
Marina Douglas	NNEPRA	780-1000 x 107	Marina@nnepra.com
John Duncan	PACTS	774-9891	jduncan@gpcog.org
Art Handman	KMJ Consulting, Inc.	839-6120	ahandman@kmjinc.com
Judy Harris	City of Portland	874-8608	jh@portlandmaine.gov
Judi Molloy	FTA	(617) 494-3488	judi.molloy@fta.dot.gov
Anna Price	FHWA	207-622-8350 x10	Anna.Price@fhwa.dot.gov
Sara Trafton	YCCAC/Maine Transit Assoc.	324-5762 x 2993	trafton@YCCAC.ORG
Robert Wagner	Portland bus rider		robertwagner@alum.mit.edu
Conrad Welzel	MTA	871-7771 x126	cwelzel@maineturnpike.com
Private Operators			
Don Cormier	Bay Ferries "The CAT"	(902) 626-2543	dcormier@nfl-bay.com
Mike Cyr	Cyr Bus Lines	799-8527	mike@cyrbustours.com
Susan Davis	Maine Narrow Gauge RR	828-0814	director@mngrr.org
Steve Klein	Mermaid Transportation	885-5630	gomermaid@aol.com
Dana Knapp	Concord Trailways	828-3939 x303	yconcord@maine.rr.com
Greg Isherwood	Custom Coach & Limousine	797-9100	gisherwood@customcoachandlimo.com
Allen Malony	Chebeague Transportation	846-9613	ctc@chebeague.net
Ray Penfold	VIP Tour & Charter Company	772-4457	rpenfold@maine.rr.com
Kenneth Wyman	Vermont Transit	782-0311	

TRANSIT TIF BUILDING BLOCKS

Purpose Statement

The purpose of this section is to promote sustainable economic development in Maine, as well as energy efficiency and greenhouse gas reduction, by providing municipalities with the option of granting incentives for transit oriented development (TOD) and/or supporting transit and alternative modes of transportation through TOD tax increment financing districts. The intent is to encourage new homes, stores, places of employment, and other development to be built within easy access of various types of transit facilities, whether near transit hubs or within transit corridors. This will further the achievement of such objectives as: spurring new economic activity; providing more transportation choices; lessening individuals' and families' expenditures for transportation; increasing energy efficiency; reducing the need for school bussing; helping to meet air quality attainment; reducing stormwater runoff by decreasing the need for off-street parking spaces; reducing the consumption of open space; and helping to reduce obesity while providing other health benefits.

Definitions

Alternative modes of transportation: Types of transportation other than private automobiles, such as transit, bicycling, and walking.

Capital Improvement Program: A timetable or schedule of all future capital improvements to be carried out during a specific period, together with cost estimates and the anticipated sources of financing for each project.

Floor Area Ratio (FAR): A ratio of building size to lot area. It is the gross floor area of all buildings or structures on a lot divided by the total lot area. For example, a building with two floors, each 1,000 square feet in size, on a 10,000 square foot lot would have an FAR of 0.2 (2,000 sq. ft. gross floor area ÷ 10,000 sq. ft. lot area = 0.2).

Mixed-use zoning district: A zoning district that allows by right or special exception non-residential uses as well as residential uses.

Net Residential Acre: An acre of land in a lot after subtracting all features or areas that the development ordinance requires to be excluded from the calculations. These features generally include streams, wetlands, steep slopes, and other unbuildable areas.

Non-Residential use: Any type of land use other than residential. Examples include office, retail, commercial, entertainment, light manufacturing, industrial, etc.

Residential use: A type of land use consisting of residential dwelling units of all types: for example, single-family, multi-family, attached, detached, condominium, etc.

Transit: Transportation systems in which people travel in other than their own vehicles. These include but are not limited to bus, express bus, bus rapid transit, regional bus systems, street cars, light rail, and rail.

Transit Facility: Any place providing access to transit services, including but not limited to: bus stops; bus stations; interchanges on a highway used by one or more transit providers; ferry landings; train stations; shuttle terminals; and bus rapid transit stops.

Transit-oriented development (TOD): A type of development that links land use with transit facilities to support, and be supported by, a transit system. It combines housing with complementary public uses (jobs, retail, and/or services) located in transit-served nodes or corridors. As further defined in this section, transit-oriented development includes both TOD primary projects and TOD contributing projects.

Transit-oriented development area: For the purposes of this legislation, TOD area refers to an area of any shape such that no part of the perimeter is further than ¼ mile from a transit facility.

Transit-oriented development corridor: For the purposes of this legislation, TOD corridor means a strip of land of any length and up to 500 feet on either side of a roadway serving as a principal transit route.

Transit-oriented development primary project: For the purposes of this legislation, a TOD primary project refers to a TOD that is clearly intended through location and design to rely on transit as one of the means of meeting the transportation needs of its residents, customers, and/or occupants. This may be demonstrated through such factors as transit facility proximity, mixed uses, off-street parking space ratio less than industry standards, architectural accommodation for transit, and/or marketing that highlights transit.

Transit-oriented development contributing project: For the purposes of this legislation, a TOD contributing project is defined as any development within transit-oriented development TIF district that is not a TOD primary project.

Transit-oriented development TIF district: A tax increment financing district (TIF) consisting of a TOD area or a TOD corridor and incorporating the various rules, requirements, and exceptions specific to TOD TIF's.

Creation of Transit-Oriented Development TIF Districts

Following procedures to be established by the Maine Department of Economic and Community Development (the Department), a municipality may create one or more transit-oriented development (TOD) tax increment financing (TIF) districts. These can be transit-oriented development areas, typically located around transit stations, hubs, or nodes, or transit-oriented development corridors, as defined herein.

Conditions

Upon submission of all required information and exhibits, the Department shall approve any request for the creation of a TOD TIF district for which all of the following are true:

1. The district is served by an existing transit service of any type, or a new transit service has been proposed that has a municipal funding commitment or, for a private service, there is in the Department's determination a viable business plan;

2. The extent of the district does not exceed $\frac{1}{4}$ mile from a transit facility in the case of TOD areas or 500 feet on either side of a principal transit route roadway for TOD corridors.
3. The land use regulations in the district allow for a mix of uses, including as a minimum those associated with where people live, work, shop, and obtain services. This can be achieved through a single mixed-use zone or via multiple zones that together include the required land uses. If accomplished through multiple zones, the zones can be interspersed throughout the district, or, particularly in the case of corridors, by section (for example, residential zoning along the length of a corridor with compatible non-residential uses at one or both ends). In general, residential properties in the district should be no further than $\frac{1}{4}$ mile walking distance from compatible non-residential uses.
4. The land use regulations allow a minimum of five (5) dwelling units per net residential acre for residential uses and, except in rural areas and residential neighborhoods, a minimum of 0.4 floor area ratio (FAR), or its equivalent, for non-residential uses. This condition can also be met by demonstrating that the existing development pattern meets these standards or that there are provisions in the municipality's Comprehensive Plan for achieving them.
5. Accommodations for safe bicycle and pedestrian transportation have been provided, or have been included in the municipality's Capital Improvement Program (CIP), according to standards and/or guidelines established by the Maine Department of Transportation (MDOT) in rules or publications associated with the Sensible Transportation Policy Act, 23 M.R.S.A. §73.

Waiver of Conditions

Any or all of the above conditions can be waived upon a determination by the MDOT Commissioner that a proposed TOD TIF district substantially meets the objectives in the Rule for the Sensible Transportation Policy Act, 17-229-103 Sec. 4.B.

Tax Increment Financing for Transit Oriented Development

Subject to the requirements of 30-A §5227. Tax Increment Financing, a municipality may retain all or part of the tax increment revenues generated from the increased assessed value of a TOD TIF district for the purpose of financing a development program as described in Sec. 4224, subsection 2.

Project Costs

Authorized use of TOD TIF funds within a TOD TIF district include but are not limited to:

- A. Transit operating costs, including but not limited to operator wages, salaries, and benefits and vehicle operating costs.
- B. Transit capital costs, including but not limited to purchases of buses, ferries, vans, and railroad equipment.
- C. Other project costs as contained in 30-A §5225.1.A. subject to the following:
 1. For TOD contributing projects, only costs directly related to accommodating transit and/or alternative modes of transportation are eligible.
 2. For TOD primary projects, all costs enumerated in 30-A §5225 are eligible.

Area and Value Limits

Other sections of this chapter notwithstanding, there shall be no limit to the area of TOD TIF districts within a municipality, either individually or in the aggregate.

Other sections of this chapter notwithstanding, there shall be no limit to the assessed value, either individually or in the aggregate, of TOD contributing projects.

For TOD primary projects, the original assessed value of a proposed tax increment financing TOD project plus the original assessed value of all existing tax increment financing TOD projects and non-TOD TIF districts within the municipality may not exceed 5% of the total value of taxable property within the municipality as of April 1st preceding the date of the commissioner's approval of the designation of the proposed tax increment financing district.

Cessation of Transit Service

The temporary or permanent discontinuation of a transit service upon which a TOD TIF district was created shall not invalidate the TOD TIF. However, the municipality must make a good faith effort to restore the service.

Overlap with other TIF Districts

A TOD TIF district may overlap another type of TIF district, or be created within another TIF district, and shall not in any way negate or be negated by the other district.