

By Representative Jacobs

1                                   A bill to be entitled  
 2           An act relating to the City of Boca Raton, Palm  
 3           Beach County; providing certain findings;  
 4           providing for a partial exception to  
 5           transportation concurrency requirements for the  
 6           Blue Lake development of regional impact  
 7           project subject to a determination by the  
 8           Secretary of Community Affairs that certain  
 9           criteria have been satisfied; requiring certain  
 10          transit facilities and incentives, roadway and  
 11          intersection improvements, and transportation  
 12          demand management programs; providing for an  
 13          implementation agreement; providing for an  
 14          appeal to the Florida Land and Water  
 15          Adjudicatory Commission; providing an effective  
 16          date.

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 18 Be It Enacted by the Legislature of the State of Florida:

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 20           Section 1. Legislative findings:  
 21           (1) The City of Boca Raton, Palm Beach County, and the  
 22 State of Florida suffered significant economic loss with the  
 23 departure of some 10,000 employees from IBM's Boca Raton  
 24 facility. A development of regional impact was approved by the  
 25 City of Boca Raton for the redevelopment and expansion of the  
 26 IBM facility as the Blue Lake Corporate Center. Blue Lake is  
 27 expected to provide employment for approximately 20,000  
 28 persons at buildout, creating significant positive impacts on  
 29 employment and the economy of the region and the state.  
 30           (2) The Blue Lake property is within the Eastward Ho  
 31 initiative area as part of the state's sustainable communities

1 demonstration project under chapter 163, Florida Statutes, and  
2 the City of Boca Raton is one of the five demonstration  
3 sustainable communities under an agreement between the City  
4 and the Department of Community Affairs. The agreement between  
5 the City of Boca Raton and the Department of Community Affairs  
6 provides that the City will emphasize the creation of jobs,  
7 including at the Blue Lake project, and will encourage  
8 development in proximity to mass transit.

9       (3) The Blue Lake development of regional impact abuts  
10 the Tri-County Commuter Rail line and Palm Beach County's bus  
11 routes, and is adjacent to Florida Atlantic University, Lynn  
12 University, and other large employment and residential areas.  
13 The Treasure Coast Regional Planning Council, which  
14 recommended approval of the Blue Lake development of regional  
15 impact, concluded that the traffic management techniques for  
16 the project should include rail and bus transit instead of the  
17 usual road expansions only. Managing traffic impacts within  
18 the Eastward Ho area of Southeast Florida only with the  
19 expansion of the road system is not in the best interests of  
20 the public and is an inefficient use of public and private  
21 resources. Encouraging the use of transit and other  
22 transportation demand techniques within the Eastward Ho area  
23 is in the best interests of the public. Blue Lake represents  
24 an exceptional opportunity to promote and increase the use of  
25 public transportation and other transportation demand  
26 techniques in furtherance of existing state policy.

27       Section 2. (1) The Blue Lake development of regional  
28 impact project approved by the City of Boca Raton Resolution  
29 No. 37-99, and as it may be amended, shall be entitled to an  
30 exception from state, regional, and local concurrency  
31 requirements for transportation facilities, notwithstanding

1 any other provision to the contrary under the law, upon a  
2 determination by the Secretary of Community Affairs that  
3 satisfaction of the following criteria has been assured:  
4 (a) The project shall institute a variable work hour  
5 program;  
6 (b) The project shall provide to the public commuter  
7 rail operator a parcel at the project site adjacent to the  
8 rail tracks for a station platform, ticket booth, and parking  
9 for at least 300 automobiles, and a bus stop facility shall be  
10 provided to accommodate at least three public transportation  
11 buses at a time, with a covered waiting area of sufficient  
12 size to accommodate at least 100 passengers;  
13 (c) If and when the project has multiple buildings, it  
14 shall provide an internal shuttle or tram system at least 14  
15 hours per day, 6 days per week, with at least 20-minute  
16 headways to provide passenger service between the commuter  
17 rail parcel and the public bus transportation facility and the  
18 other buildings and facilities on the project site;  
19 (d) A financial incentive in the form of a subsidy of  
20 a percentage of the annual ticket cost shall be provided to  
21 persons employed at the project site for riding on the  
22 commuter rail system or public bus transportation system to  
23 and from the project site a minimum of 200 working days per  
24 year;  
25 (e) The project shall provide a ride-sharing  
26 information service to persons employed at the project site;  
27 (f) Emergency transportation shall be provided by the  
28 project for those employees using transit, sharing rides, or  
29 riding bikes;  
30 (g) The project shall include bicycle racks, showers,  
31 and bike lanes on the roads within the project;

- 1       (h) The project shall attempt to coordinate its  
2 marketing efforts with the public commuter rail operator and  
3 the public bus provider;
- 4       (i) The project shall maximize to the degree  
5 reasonably practicable the use of shared access points where  
6 the project abuts a constrained roadway;
- 7       (j) The project shall provide external and internal  
8 pedestrian access to the project for persons with disabilities  
9 and other persons using alternative modes of transportation  
10 other than the automobile; and
- 11       (k) The project shall be responsible for the roadway  
12 and intersection improvements.
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- 14 Contracts for the improvements specified for a particular  
15 phase shall be let prior to the issuance of a building permit  
16 for development in that phase, and the improvements shall be  
17 completed prior to the issuance of a certificate of occupancy  
18 for development in that phase. The Blue Lake development of  
19 regional impact shall be exempt from traffic concurrency on  
20 all other roadway links and intersections.
- 21       (2) The Secretary may enter into any agreement  
22 necessary to assure satisfaction of the criteria in this act.
- 23       (3) The applicant shall be entitled to appeal the  
24 determinations of the Secretary to the Florida Land and Water  
25 Adjudicatory Commission pursuant to section 380.07, Florida  
26 Statutes.
- 27       (4) The final determination of the Secretary, or the  
28 Florida Land and Water Adjudicatory Commission in the event of  
29 an appeal, shall bind all affected local governments and shall  
30 constitute an amendment to all applicable development orders  
31 and agreements.

1           (5) Notwithstanding any other provision of law to the  
2 contrary, no amendments to any comprehensive plan, rules,  
3 regulations, or ordinances shall be necessary to effectuate  
4 the final determination of the Secretary or the Florida Land  
5 and Water Adjudicatory Commission.

6           Section 3. This act shall take effect upon becoming a  
7 law.

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