

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Sorensen offered the following:

**Amendment to Amendment (925427) (with title amendment)**

On page 23, between lines 12 and 13, of the amendment

insert:

Section 5. Subsection (5) and paragraph (a) of subsection (12) of section 163.3180, Florida Statutes, are amended to read:

163.3180 Concurrency.--

(5)(a) The Legislature finds that under limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities and services be available concurrent with the impacts of such development. The Legislature further finds that often the unintended result of the concurrency requirement for transportation facilities is the discouragement of urban infill development and redevelopment. Such unintended results directly conflict with the goals and policies of the state comprehensive plan and the intent of this part. Therefore,

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1 exceptions from the concurrency requirement for transportation  
2 facilities may be granted as provided by this subsection.

3 (b) A local government may grant an exception from the  
4 concurrency requirement for transportation facilities if the  
5 proposed development is otherwise consistent with the adopted  
6 local government comprehensive plan and is a project that  
7 promotes public transportation. ~~or is located within an area~~  
8 ~~designated in the comprehensive plan for:~~

9 (c) A local government shall grant an exception from  
10 the concurrency requirement for transportation facilities if  
11 the proposed development is located within an area designated  
12 in the comprehensive plan for:

- 13 1. Urban infill development,
- 14 2. Urban redevelopment,
- 15 3. Downtown revitalization, or
- 16 4. Urban infill and redevelopment under s. 163.2517.

17 ~~(d)(c)~~ The Legislature also finds that developments  
18 located within urban infill, urban redevelopment, existing  
19 urban service, or downtown revitalization areas or areas  
20 designated as urban infill and redevelopment areas under s.  
21 163.2517 which pose only special part-time demands on the  
22 transportation system should be excepted from the concurrency  
23 requirement for transportation facilities. A special  
24 part-time demand is one that does not have more than 200  
25 scheduled events during any calendar year and does not affect  
26 the 100 highest traffic volume hours.

27 ~~(e)(d)~~ A local government shall establish guidelines  
28 for granting the exceptions authorized in paragraphs (b) and  
29 ~~(d)(c)~~ in the comprehensive plan. These guidelines must  
30 include consideration of the impacts on the Florida Intrastate  
31 Highway System, as defined in s. 338.001. The exceptions may

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1 be available only within the specific geographic area of the  
2 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
3 any affected person may challenge a plan amendment  
4 establishing these guidelines and the areas within which an  
5 exception could be granted.

6 (f) A local government shall establish guidelines for  
7 designating the exception areas authorized in paragraph (c) in  
8 the comprehensive plan. These guidelines must include  
9 consideration of the impacts on the Florida Intrastate Highway  
10 System, as defined in s. 338.001. The exceptions may be  
11 available only within the specific geographic area of the  
12 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
13 any affected person may challenge a plan amendment  
14 establishing these guidelines and the areas within which an  
15 exception could be granted.

16 (12) When authorized by a local comprehensive plan, a  
17 multiuse development of regional impact may satisfy the  
18 transportation concurrency requirements of the local  
19 comprehensive plan, the local government's concurrency  
20 management system, and s. 380.06 by payment of a  
21 proportionate-share contribution for local and regionally  
22 significant traffic impacts, if:

23 (a) The development of regional impact meets or  
24 exceeds the guidelines and standards of s. 380.0651(3)~~(g)(i)~~  
25 and rule 28-24.032(2), Florida Administrative Code, and  
26 includes a residential component that contains at least 100  
27 residential dwelling units or 15 percent of the applicable  
28 residential guideline and standard, whichever is greater;

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30 The proportionate-share contribution may be applied to any  
31 transportation facility to satisfy the provisions of this

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1 subsection and the local comprehensive plan, but, for the  
 2 purposes of this subsection, the amount of the  
 3 proportionate-share contribution shall be calculated based  
 4 upon the cumulative number of trips from the proposed  
 5 development expected to reach roadways during the peak hour  
 6 from the complete buildout of a stage or phase being approved,  
 7 divided by the change in the peak hour maximum service volume  
 8 of roadways resulting from construction of an improvement  
 9 necessary to maintain the adopted level of service, multiplied  
 10 by the construction cost, at the time of developer payment, of  
 11 the improvement necessary to maintain the adopted level of  
 12 service. For purposes of this subsection, "construction cost"  
 13 includes all associated costs of the improvement.

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16 ===== T I T L E    A M E N D M E N T =====

17 And the title is amended as follows:

18            On page 110, line 6-8, after the semicolon of the  
19 amendment

20 remove: all of said lines

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22 and insert in lieu thereof:

23            revising provisions relating to exceptions from  
 24            the concurrency requirement for transportation  
 25            facilities; requiring that such an exception be  
 26            granted under certain conditions;

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