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CHAMBER ACTION

Senate

House

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Floor: WD/3R  
5/2/2008 4:51 PM

1 Senator Garcia moved the following **Senate amendment to House**  
2 **amendment (162105)** :

3  
4 **Senate Amendment (with title amendment)**

5 Between line(s) 2233 and 2234,  
6 insert:

7  
8 Section 48. Subsection (12) of section 163.3180, Florida  
9 Statutes, is amended to read:

10 163.3180 Concurrency.--

11 (12) A development of regional impact may satisfy the  
12 transportation concurrency requirements of the local  
13 comprehensive plan, the local government's concurrency management  
14 system, and s. 380.06 by payment of a proportionate-share  
15 contribution for local and regionally significant traffic  
16 impacts, if:



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17 (a) The development of regional impact which, based on its  
18 location or mix of land uses, is designed to encourage pedestrian  
19 or other nonautomotive modes of transportation;

20 (b) The proportionate-share contribution for local and  
21 regionally significant traffic impacts is sufficient to pay for  
22 one or more required mobility improvements that will benefit a  
23 regionally significant transportation facility;

24 (c) The owner and developer of the development of regional  
25 impact pays or assures payment of the proportionate-share  
26 contribution; and

27 (d) If the regionally significant transportation facility  
28 to be constructed or improved is under the maintenance authority  
29 of a governmental entity, as defined by s. 334.03(12), other than  
30 the local government with jurisdiction over the development of  
31 regional impact, the developer is required to enter into a  
32 binding and legally enforceable commitment to transfer funds to  
33 the governmental entity having maintenance authority or to  
34 otherwise assure construction or improvement of the facility.

35

36 The proportionate-share contribution may be applied to any  
37 transportation facility to satisfy the provisions of this  
38 subsection and the local comprehensive plan, but, for the  
39 purposes of this subsection, the amount of the proportionate-  
40 share contribution shall be calculated based upon the cumulative  
41 number of trips from the proposed development expected to reach  
42 roadways during the peak hour from the complete buildout of a  
43 stage or phase being approved, divided by the change in the peak  
44 hour maximum service volume of roadways resulting from  
45 construction of an improvement necessary to maintain the adopted  
46 level of service, multiplied by the construction cost, at the



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47 | time of developer payment, of the improvement necessary to  
48 | maintain the adopted level of service. For purposes of this  
49 | subsection, "construction cost" includes all associated costs of  
50 | the improvement. The proportionate-share contribution shall  
51 | include the costs associated with accommodating a transit  
52 | facility within the development of regional impact which is in a  
53 | county's or the Department of Transportation's long-range plan  
54 | and shall be credited against a development of regional impact's  
55 | proportionate-share contribution. Proportionate-share mitigation  
56 | shall be limited to ensure that a development of regional impact  
57 | meeting the requirements of this subsection mitigates its impact  
58 | on the transportation system but is not responsible for the  
59 | additional cost of reducing or eliminating backlogs. This  
60 | subsection also applies to Florida Quality Developments pursuant  
61 | to s. 380.061 and to detailed specific area plans implementing  
62 | optional sector plans pursuant to s. 163.3245.

63 |  
64 | ===== T I T L E   A M E N D M E N T =====

65 | And the title is amended as follows:

66 |       On line(s) 2402, after the second semicolon,  
67 | insert:

68 |       amending s. 163.3180, F.S.; requiring credit against a  
69 |       development of regional impact's proportionate-share  
70 |       contribution for accommodating a transit facility;