

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Precourt offered the following:

2
3 **Amendment to Amendment (210765) (with directory and title**
4 **amendments)**

5 Between lines 538-539, insert:

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

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

15 (b) The proportionate-share contribution for local and
16 regionally significant traffic impacts is sufficient to pay for
367249

Approved For Filing: 4/22/2009 4:26:03 PM

Amendment No.

17 one or more required mobility improvements that will benefit a
18 regionally significant transportation facility;

19 (c) The owner and developer of the development of regional
20 impact pays or assures payment of the proportionate-share
21 contribution; and

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

30
31 The proportionate-share contribution may be applied to any
32 transportation facility to satisfy the provisions of this
33 subsection and the local comprehensive plan, but, for the
34 purposes of this subsection, the amount of the proportionate-
35 share contribution shall be calculated based upon the cumulative
36 number of trips from the proposed development expected to reach
37 roadways during the peak hour from the complete buildout of a
38 stage or phase being approved, divided by the change in the peak
39 hour maximum service volume of roadways resulting from
40 construction of an improvement necessary to maintain the adopted
41 level of service, multiplied by the construction cost, at the
42 time of developer payment, of the improvement necessary to
43 maintain the adopted level of service. For purposes of this
44 subsection, "construction cost" includes all associated costs of
367249

Approved For Filing: 4/22/2009 4:26:03 PM

Amendment No.

45 the improvement. The cost of any improvements to a regionally
46 significant transportation facility constructed by the owner or
47 developer of the development of regional impact, including the
48 costs associated with accommodating a transit facility within
49 the development of regional impact which is in a county's or the
50 Department of Transportation's long range plan, shall be
51 credited against a development of regional impact's
52 proportionate-share contribution. Proportionate-share mitigation
53 shall be limited to ensure that a development of regional impact
54 meeting the requirements of this subsection mitigates its impact
55 on the transportation system but is not responsible for the
56 additional cost of reducing or eliminating backlogs. This
57 subsection also applies to Florida Quality Developments pursuant
58 to s. 380.061 and to detailed specific area plans implementing
59 optional sector plans pursuant to s. 163.3245.

60
61
62
63
64 -----
65 **D I R E C T O R Y A M E N D M E N T**

66 Remove lines 356 and insert:

67 Section 3. Subsections (5), (10), and (12), and paragraphs

68 (b)

69
70
71 -----
72 **T I T L E A M E N D M E N T**

367249

Approved For Filing: 4/22/2009 4:26:03 PM

Amendment No.

73 Remove lines 1293 and insert:
74 circumstances; providing for crediting the costs of
75 improvements to certain regionally significant transportation
76 facilities against a development of regional impact's
77 proportionate-share contribution; revising school concurrency
78 requirements;
79

367249

Approved For Filing: 4/22/2009 4:26:03 PM

Page 4 of 4