



760214

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
03/19/2009	.	
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The Policy and Steering Committee on Ways and Means (Lynn)
recommended the following:

1 **Senate Amendment to Amendment (404522) (with directory and**
2 **title amendments)**

3
4 Between lines 467 and 468
5 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:



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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
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 two to reflect that
39 each off-site trip represents a trip generated by another
40 development, multiplied by the construction cost at the time of



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41 the developer payment, the product of which is divided by the
42 change in the peak hour maximum service volume of roadways
43 resulting from construction of an improvement necessary to
44 maintain the adopted level of service, ~~multiplied by the~~
45 ~~construction cost, at the time of developer payment, of the~~
46 ~~improvement necessary to maintain the adopted level of service.~~
47 For purposes of this subsection, "construction cost" includes
48 all associated costs of the improvement. Proportionate-share
49 mitigation shall be limited to ensure that a development of
50 regional impact meeting the requirements of this subsection
51 mitigates its impact on the transportation system but is not
52 responsible for the additional cost of reducing or eliminating
53 backlogs. This subsection also applies to Florida Quality
54 Developments pursuant to s. 380.061 and to detailed specific
55 area plans implementing optional sector plans pursuant to s.
56 163.3245.

57
58 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

59 And the directory clause is amended as follows:

60 Delete line 243

61 and insert:

62 (5), (10), and (12) of section 163.3180, Florida Statutes, are
63 amended

64
65 ===== T I T L E A M E N D M E N T =====

66 And the title is amended as follows:

67 Delete line 1111

68 and insert:

69 projects; clarifying the calculation of the



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70 proportionate-share contribution for local and
71 regionally significant traffic impacts which is paid
72 by a development of regional impact for the purpose of
73 satisfying certain concurrency requirements; amending
74 s. 163.3184, F.S.; clarifying the