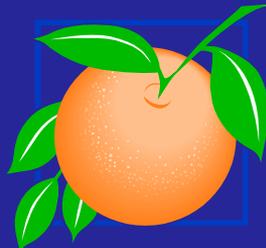


Board of County Commissioners

**Growth Management Legislative
Discussion:**

Transportation Concurrency

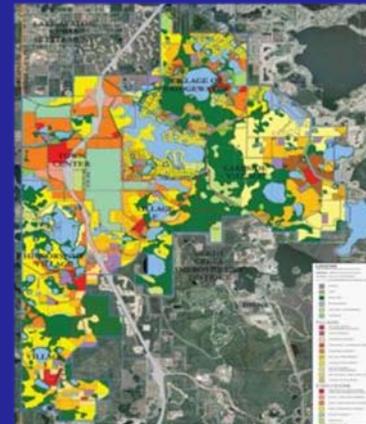
April 24, 2012





Discussion Topics

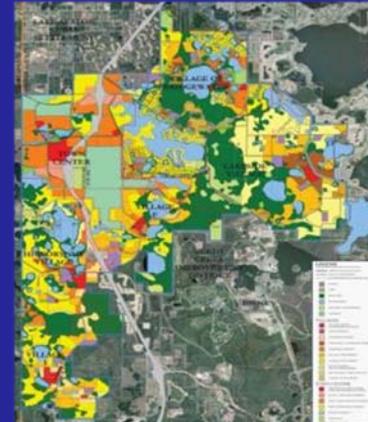
1. Planning Overview / Comprehensive Plan Amendment Review
2. Concurrent Plan Amendment / Rezoning and Small Scale Amendments
3. Urban Service Area Expansions, Urban Sprawl, Needs Analysis
4. Financial Feasibility: Funding Infrastructure and Services
5. Concurrency: Transportation
6. Concurrency: Schools and Parks
7. Developments of Regional Impact
8. Sector Plans and New Towns





Discussion Topics

1. Planning Overview / Comprehensive Plan Amendment Review
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- **Retain transportation concurrency**
- **Direct staff to work with RSTF to enhance our current system**
- **Develop a long-term alternative to concurrency**





- **Concurrency Background**
- **Concurrency Implementation**
- **Changes under HB 7207**
- **Recommendations**
- **Requested Direction**



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Concurrency is:

- Requirement that necessary public facilities are available concurrent with impacts of development

Concurrency is not:

- A planning tool
- A funding mechanism

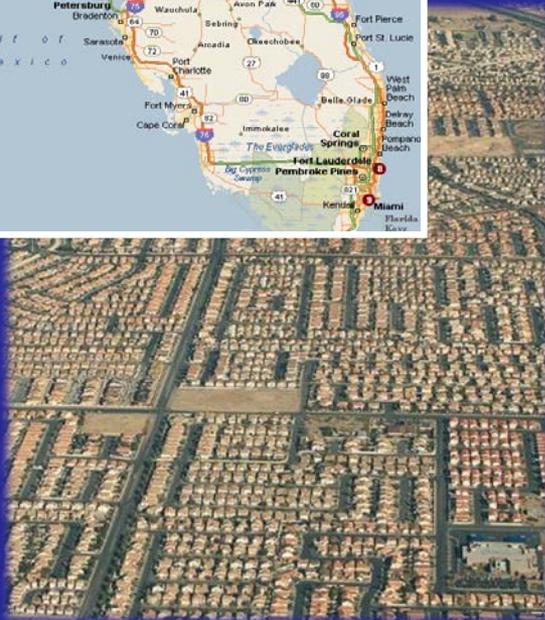


Concurrency Background



1985 Growth Management Act

- Financial feasibility
- Adopt and maintain LOS standards
- Adopt a schedule of capital improvements
- Transportation concurrency was a state mandate



1980

1990

2000

2010



Concurrency Background

1992 Amendment

- Consider area-wide LOS
- Parallel corridors

1993 Amendment

- Concurrency exception for infill and redevelopment
- Long Term Financial Feasibility (10 – 15 year CIE)

1999 Amendment

- Promote integrated land use and multi-modal planning

Successful Integration of Transportation, Urban Design and Land Use in an Urban Center: Orlando, Florida





Urban Center: Orlando

Intense development and major employment supported by residential and retail.

- Diverse and complementary land uses
- Provision of community and commercial services
- Appropriate densities within walking distance of transit stops
- Limited parking
- Multimodal transportation available (LYNX)
- Network connectivity (162 polygons)

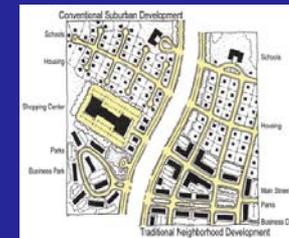


Multimodal Transportation Districts and Areawide Quality of Service Handbook






Systems Planning Office
Florida Department of Transportation



Concurrency Background



2005 Amendments – SB 360

- Strict 5-year financial feasibility requirement
- Annual reporting of CIE
- Introduced proportionate-fair share as local government option



A Pay As You Grow Plan For Florida's Future

GROWTH MANAGEMENT INITIATIVE
Summary of SB 360 Enacted

SCHOOLS

- Requires school concurrency by December 2008. Currently, school concurrency is optional and is only implemented by Palm Beach County.
- Local governments that fail to implement school concurrency are prohibited from adopting plan amendments that increase residential density.
- Allows waivers for smaller, lesser-impacted counties and municipalities.
- The local government and school board jointly establish a level of service standard. Concurrency is required initially at districtwide levels. Within 5 years application must be less than districtwide level.
- School facilities must be in place or under construction within 3 years following approval of an application for site plan or final subdivision.
- Allows for proportionate share mitigation by developers.

TRANSPORTATION

- Changes the 3-year and 5-year transportation concurrency definition to three years from approval of building permit.
- Transportation concurrency exception areas must be examined and refined to adequately address mobility within the defined area - typically urban infill and downtown revitalization areas.
- Strengthens protection of the Strategic Intermodal System (SIS) within a transportation concurrency exception area and other exception areas.
- DOT will establish level of service standards for SIS and regional roads funded by a new Transportation Regional Incentive Grant Program.
- Allows for proportionate fair share mitigation by developers.

WATER

- Better coordinates local government water supply plans with water management districts' regional water supply plans.
- Establishes a closer link between water supply and development decisions by requiring adequate water supplies no later than certificate of occupancy.
- Additionally, SB 444, an act relating to water resource protection and sustainability, provides for alternative water supply development funding, more comprehensive regional water supply plans and enhanced consumptive use permitting.



1980

1990

2000

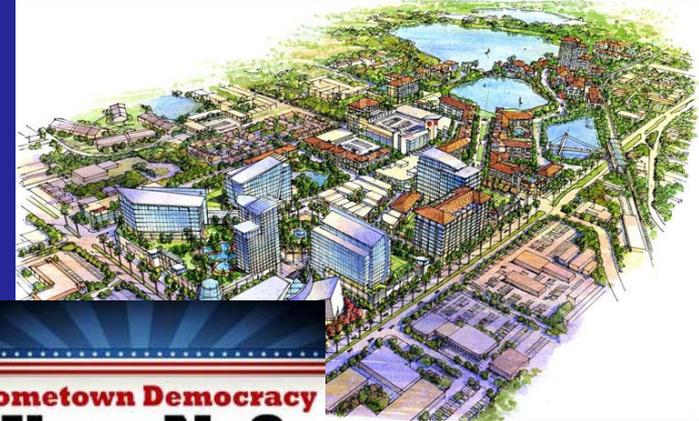
2010

Concurrency Background



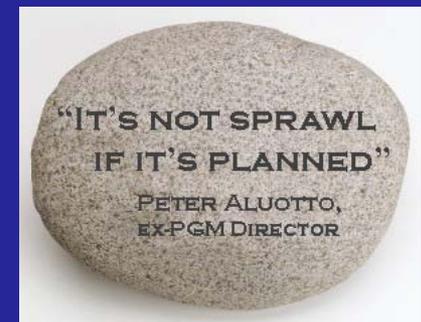
2009 Amendment – SB 360

- Eliminated Concurrency Requirements in Dense Urban Land Area (DULAs)



2011 Amendment – HB 7207

- Removed Financial Feasibility Requirements
- Optional Transportation Concurrency
- Changed application of Proportionate Share





Orange County Concurrency

- 10-Year Schedule of Capital Improvements (LTCMS)
- Parallel corridors (TCMA)
- Public-private partnerships (Proportionate Share)
- Innovation Way Multimodal Transportation District (MMTD)
- Alternative Mobility Area (TCEA)





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Comprehensive Plan

- **Transportation Element**
- **Capital Improvements Element**
- **Future Land Use Element**

OBJ FLU1.2

Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development.



Orange County Code (Ch. 30) Concurrency Requirements

	Staff Report	Information Letter	Encumbrance Letter	Reservation Certificate
Comp Plan Amendment	X			
Rezoning	X			
PD Rezoning		X		
Residential PSP			X	
Residential Plat				X
Non-Residential Plat		X		
Commercial Site Plan				X



People, Processes, and Systems

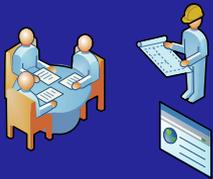
Application



Reservation



Permitting



Concurrency Implementation



- **Final approval at building permit**
- **Capacity is available:**
 - Apply, reserve trips
 - Pay impact fees
- **Capacity is not available:**
 - Reduce development impacts
 - Provide improvement
 - Provide monetary contribution
 - Wait until improvement in place





Why is there a belief that concurrency failed?

- Complicated
- Bureaucratic
- Technical
- Consistent Application
- Equity
- Evolution
- Economy



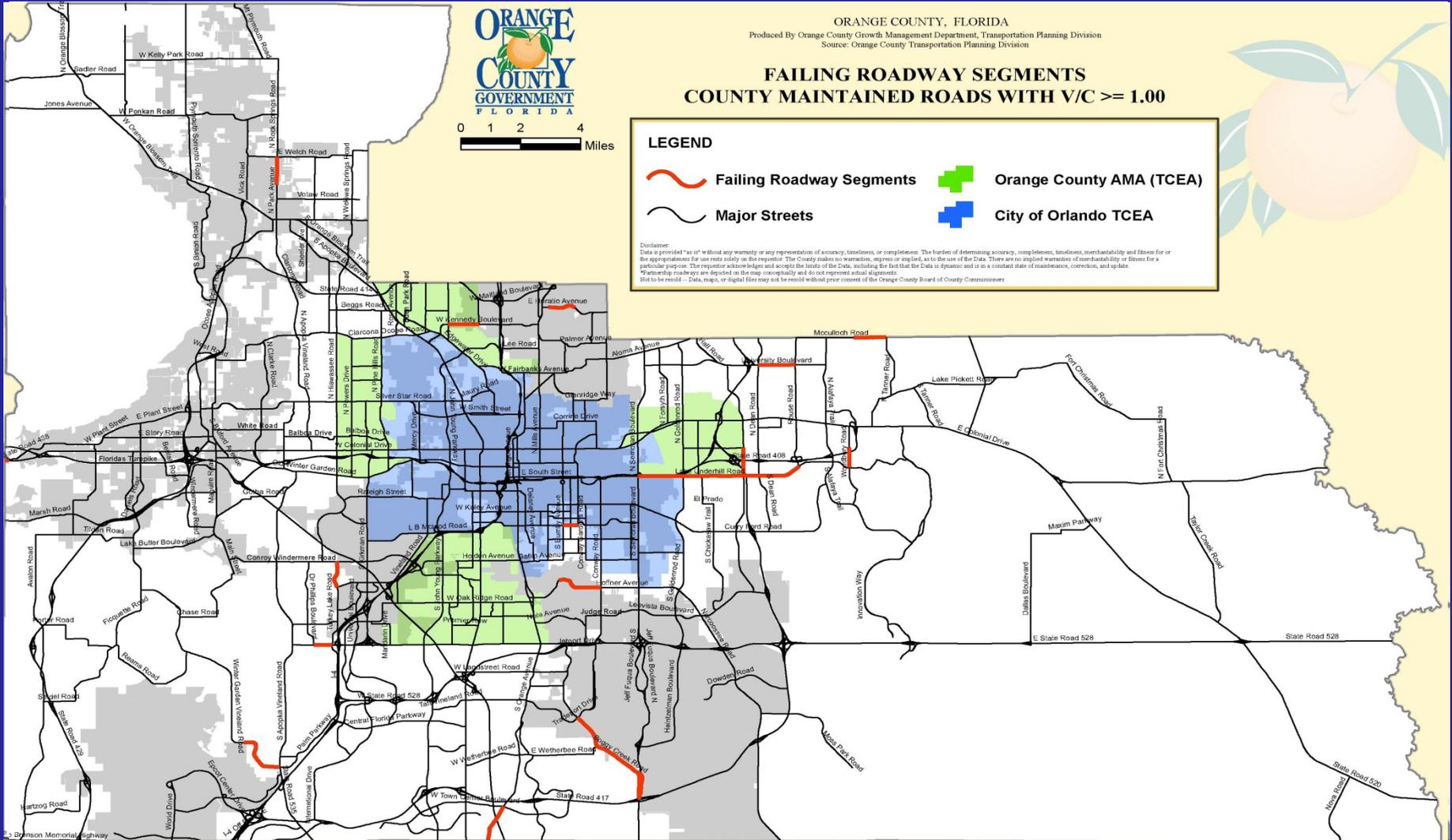


Has transportation concurrency failed in Orange County?

- Integral part of Land Development Process
- Deferred key decisions to permitting
- Supported development of capital improvements program
 - Prioritization
 - Funding
- Few failing facilities



Concurrency Implementation





- ┆ Concurrency Background
- ┆ Concurrency Implementation
- **Changes under HB 7207**
 - ┆ Recommendations
 - ┆ Requested Direction

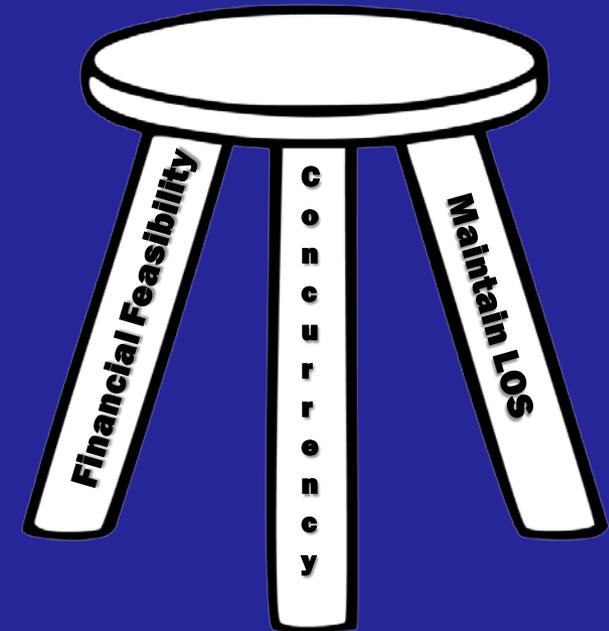


- **Transportation concurrency is now optional**
 - Rescind
 - Retain
 - Revise
- **Amended language for proportionate share and impact fee credits**





- If we rescind:
 - Must amend comprehensive plan
 - Amendment not subject to state review



- ✗ Connection of major plan goals and objectives
- ✗ May result in uncoordinated timing of infrastructure and development
- ✗ Fiscal impacts
- ✓ Resolves unintended consequences



- **If we retain:**
 - **Maintain Comprehensive Plan provisions**
 - **Five-year Capital Improvement Schedule**
 - **Adopt and Maintain LOS standards**
 - **Revise plan and code related to proportionate share and impact fee credits**



Allow time to develop an alternative



Compatibility with other counties and municipalities



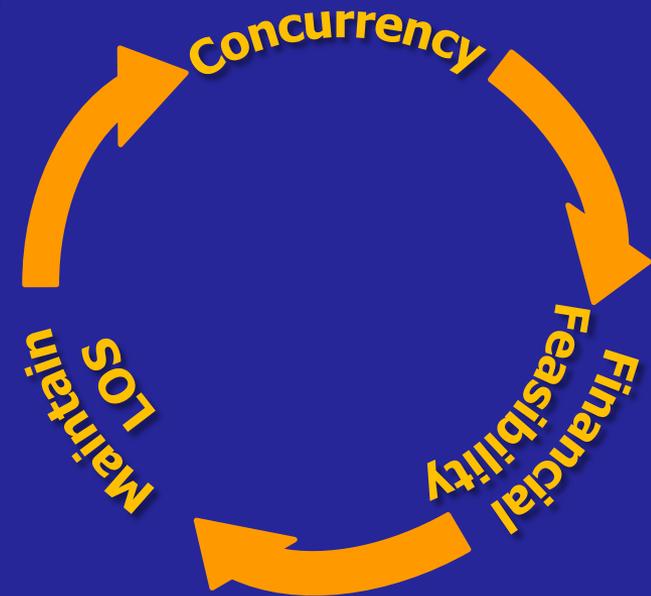
- **If we revise:**
 - **Legislation encourages policy guidelines and techniques to address potential negative impacts**
 - **Legislation encourages tools and techniques to complement the application of concurrency**
- ✓ **Flexibility to develop plan and system**
- ✗ **Requires additional resources and time**



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- **Decision Points**
 - Rescind, retain, or revise transportation concurrency
 - Interpretation on proportionate share and impact fee credit language
- **Coordinate with other county and municipal governments**
- **Engage the RSTF**





- **Prepare necessary Comprehensive Plan and code changes**
- **Develop Concurrency Alternative (Thoroughfare / Mobility Plan)**
 - **Improve land use and transportation connection**
 - **Multi-modal, safety focus**
 - **Complement existing plan goals**
 - **Evaluate funding implications (fiscal sustainability)**



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April 24, 2012

