CHAMBER ACTION
<u>Senate</u>   <u>House</u>

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11   Senator Bennett moved the following **amendment to amendment**

12   (305734):

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14   **Senate Amendment**

15   On page 1, line 18, through

16   page 2, line 24, delete those lines

17

18   and insert:

19   Section 3. Paragraph (c) of subsection (2), paragraph

20   (f) of subsection (5), subsection (7), subsection (13), and

21   paragraphs (a), (b), (c), (e), and (f) of subsection (16) of

22   section 163.3180, Florida Statutes, are amended and paragraph

23   (h) is added to subsection (5) of that section to read:

24   163.3180 Concurrency.--

25   (2)

26   (c) Consistent with the public welfare, and except as

27   otherwise provided in this section, transportation facilities

28   needed to serve new development shall be in place or under

29   actual construction <u>or programmed for construction to commence</u>

30   <u>in the Department of Transportation's work program or the</u>

31   <u>local government's schedule of capital improvements</u> within 3

1 years after the local government approves a building permit or

2 its functional equivalent that results in traffic generation.

3   (5)

4   (f) Prior to the designation of a concurrency

5 exception area, the Department of Transportation shall be

6 consulted by the local government to assess the impact that

7 the proposed exception area is expected to have on the adopted

8 level-of-service standards established for Strategic

9 Intermodal System facilities, as defined in s. 339.64, and

10 roadway facilities funded in accordance with s. 339.2819.

11 Further, the local government shall, in cooperation with the

12 Department of Transportation, develop a plan to mitigate ~~any~~

13 impacts to the Strategic Intermodal System, including, if

14 appropriate, the development of a long-term concurrency

15 management system pursuant to subsection (9) and s.

16 163.3177(3)(d). The exceptions may be available only within

17 the specific geographic area of the jurisdiction designated in

18 the plan. Pursuant to s. 163.3184, any affected person may

19 challenge a plan amendment establishing these guidelines and

20 the areas within which an exception could be granted. By

21 October 1, 2006, the Department of Transportation, after

22 publicly noticed workshops, shall publish and distribute to

23 local governments a policy guideline containing criteria and

24 options to assist local governments in planning to assess and

25 mitigate the impacts of a proposed concurrency exception area

26 as described in this paragraph.

27   (h) An area-wide development of regional impact

28 granted to a municipality under s. 380.06(25) and a

29 development of regional impact granted to a downtown

30 development authority under s. 380.06(22) are exempt from the

31 requirements of transportation facilities concurrency if the

1 <u>development of regional impact's boundaries have not been</u>

2 <u>increased after July 1, 2005; the development of regional</u>

3 <u>impact has a mix of land use types; and a mitigation plan,</u>

4 <u>with identified funding, has been submitted and approved by</u>

5 <u>the Department of Transportation which addresses</u>

6 <u>transportation deficiencies if the approved development order</u>

7 <u>did not address such deficiencies or the Department of</u>

8 <u>Transportation determines that alternative transit options</u>

9 <u>should be implemented in lieu thereof. New applications for</u>

10 <u>development approval which are adjacent and contiguous to the</u>

11 <u>exempt development of regional impact boundaries, and are</u>

12 <u>located within the applicable municipality, may not include</u>

13 <u>the trips generated by such exempt development of regional</u>

14 <u>impact as part of their transportation facilities concurrency</u>

15 <u>calculations.</u>

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