

Growth Management

Transportation Provisions of SB 360
“The Community Renewal Act”

Intent of SB 360

- Relieve regulatory constraints in densely populated areas to encourage development in these areas and discourage urban sprawl.
- Shift the focus on road-building in these areas and encourage alternative modes of transportation.

What the Legislation Means to Local Governments

- Positive Growth and Development: Relieving regulatory constraints in dense urban areas *should* result in economic development in these areas and discourage urban sprawl.
- Efficiency: A streamlined alternative state review process is available to dense urban areas and certain rural areas of critical economic concern.
- Mobility Planning Requirements: Local governments that qualify as exception areas will be required to amend their comprehensive plans within 2 years to adopt land use and transportation strategies to support mobility within the concurrency exception areas.
- Loss of Revenue Tools: Local governments will also lose the ability to collect proportionate share contributions from development (DRI transportation costs) and proportionate fair-share contributions (other transportation concurrency costs) from new development within transportation concurrency exception areas.

Local Comprehensive Plans

Key Provisions

- Financial Feasibility
 - Extends to December 1, 2011 the deadline for annual updates to capital improvement elements to be financially feasible.
- Plan Amendments
 - Provides exemptions from twice per year limit on amendments for designations of “urban service areas” as concurrency exception areas and areas exempt from DRI review.
 - Applies the streamlined alternative state review process for map amendments in local governments meeting population size and density requirements and in Rural Areas of Critical Economic Concern, if targeted industries are supported.
- “Urban Service Area” Expanded
 - Areas where public facilities and services are “in place”, and those committed in the first three years of the Capital Improvement Schedule.

Dense Urban Land Areas

- “Dense Urban Land Areas”
 - Municipalities of at least 1,000 people per square mile and a minimum total population of 5,000;
 - Counties, including the municipalities therein, with at least 1,000 people per square mile ; or,
 - Counties, including the municipalities therein, with a population of at least 1 million.
- Significance of these areas
 - Expedited review for comp plan map amendments.
 - Mandatory transportation concurrency exception areas.
 - Exempt from the DRI review process.

Mandatory Transportation Concurrency Exception Areas (TCEAs)

- TCEAs must be designated in:
 - Municipalities that qualify as dense urban land areas,
 - Urban service areas in counties that qualify as dense urban land areas and,
 - Counties with a population of at least 900,000 with no designated urban service areas.
- TCEAs not created in Broward and Miami-Dade
- Strategies to support mobility in the TCEA must be adopted into the local comp plan within two years. Failure to adopt these strategies may result in sanctions to the local government.

Optional Transportation Concurrency Exception Areas

- Municipalities that do not qualify as “dense urban land areas” may designate TCEAs in the following areas:
 - Urban infill
 - Community redevelopment
 - Downtown revitalization
 - Urban infill and redevelopment
 - Urban service areas and areas in a designated urban service boundary

Optional Transportation Concurrency Exception Areas (continued)

- Counties that do not qualify as “dense urban land areas” may designate TCEAs in the following areas:
 - Urban infill
 - Urban infill and redevelopment
 - Urban service areas
- Local governments must adopt in the comp plan and implement long-term strategies to support and fund mobility in the exception area.

Development of Regional Impact (DRI)

Exemptions

- Developments are exempt from DRIs if wholly located in the following areas:
 - Municipalities that qualify as “dense urban land areas”,
 - Urban Service Areas in counties that qualify as “dense urban land areas” and,
 - Counties with a population of at least 900,000 that qualify as “dense urban land areas” but do not have an urban service area designated in the comp plan (e.g. Pinellas and Broward).
- Municipalities and counties are given the option to exempt DRIs in selected areas (infill, community redevelopment, downtown revitalization etc.)

Other Provisions in SB 360

- School Concurrency
 - Expands DCA authority to waive school concurrency when enrollment is less than 2,000 even if growth rate is more than 10%.
 - Removes penalty for failure to address school requirements by December 1, 2008.
- Permit Extensions
 - Provides a two year extension of certain DEP and Water Management District permits and locally issued development orders and build-out extensions.
- Dispute Resolution
 - Process is now mandatory in Intergovernmental Coordination Element.
- Impact Fees
 - Local governments can decrease, suspend, or eliminate impact fees with less than 90 days notice.