

Hillsborough County Proportionate Fair-Share

In 2005, the Florida State Legislators passed, and the Governor signed, Senate Bill 360 that amended Florida Statute §163.3180, a.k.a. the concurrency statute. Until now, when a proposed new development failed to satisfy the transportation concurrency requirements, their options were limited. They could, for example:

1. Perform a detailed traffic analysis to demonstrate that more capacity is available than is indicated in the Hillsborough County LOS Report;
2. Reduce the size of their development to meet concurrency;
3. Construct the needed road improvements in order to provide the necessary capacity.

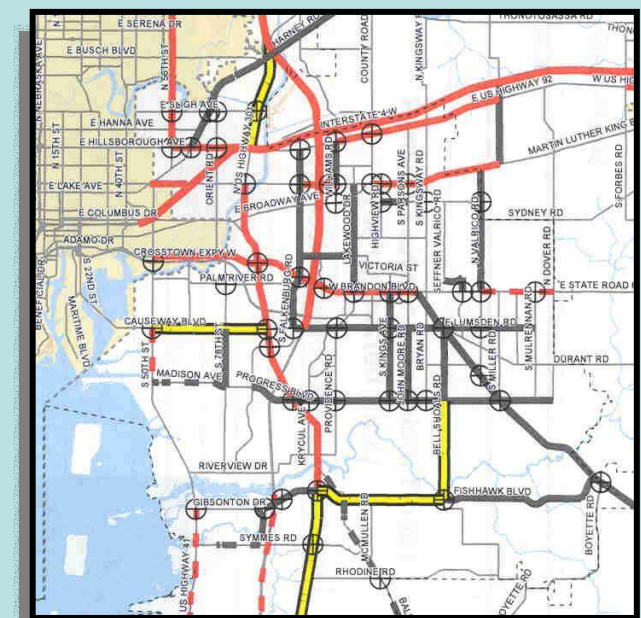
With the passage of SB 360, the developers now have another alternative; i.e., Proportionate Fair-Share. The new Proportionate Fair Share gives the developers the opportunity to “pay and go”. That is, they can pay their proportionate fair-share of the improvements needed to serve their development.

Hillsborough County adopted its Proportionate Fair Share regulations November 2, 2006. The new regulations will make the Proportionate Fair Share option available for developers, but will not obligate the County to accept Proportionate Fair Share if the proposed new road improvements on which the proportionate fair-share is based, are not financially feasible.

Procedures

STEP 1:

Once it has been determined that a development's application for concurrency fails to satisfy all the concurrency requirements, the applicant will be notified in writing of their failure to pass concurrency.



Gornto Lake Road Potential P/S Candidate Project

STEP 10:

The County collects the Proportionate Fair Share payment from the Applicant prior to construction plan approval.

PROJECT TITLE: GORNTO LAKE ROAD EXTENSION (BRANDON TOWN CENTER TO SR 60) PROJECT DEVELOPMENT		PROJECT NO: 69127																																																																									
CIE REQUIREMENT: Y		PROGRAM: TRANSPORTATION/ROADS																																																																									
LEVEL OF SERVICE IMPACT: E		Neighborhood Community Area: Brandon (Central)																																																																									
<p>Project Description: This project is for the PD&E of the Gornto Lake Road Extension. The full scope will include design, land acquisition and construction of a 4 lane section of roadway from the dead end of the existing Gornto Lake Road at Brandon Town Center to State Road 60. Detailed schedule and cost estimate to be determined after PD&E study is complete.</p>																																																																											
<p>Operating Cost Impact: There are no operating and maintenance costs associated with this project.</p>		Project Completion Date: Dec 2008																																																																									
<p>Expenditure Plan (in \$000's):</p> <table border="1"> <thead> <tr> <th></th> <th>Total Est Cost</th> <th>Prior Yrs Funding</th> <th>FY 07</th> <th>FY 08</th> <th>FY 09</th> <th>FY 10</th> <th>FY 11</th> <th>Future</th> </tr> </thead> <tbody> <tr> <td>Development</td> <td>900</td> <td>900</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Design</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Land/ROW</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Construction</td> <td>12,950</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>12,950</td> </tr> <tr> <td>Equipment</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Administration</td> <td>250</td> <td>250</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> <td>0</td> </tr> <tr> <td>Total</td> <td>\$14,100</td> <td>\$1,150</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> <td>\$0</td> <td>\$12,950</td> </tr> </tbody> </table>					Total Est Cost	Prior Yrs Funding	FY 07	FY 08	FY 09	FY 10	FY 11	Future	Development	900	900	0	0	0	0	0	0	Design	0	0	0	0	0	0	0	0	Land/ROW	0	0	0	0	0	0	0	0	Construction	12,950	0	0	0	0	0	0	12,950	Equipment	0	0	0	0	0	0	0	0	Administration	250	250	0	0	0	0	0	0	Total	\$14,100	\$1,150	\$0	\$0	\$0	\$0	\$0	\$12,950
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STEP 11:

If required, amendment to the Capital Improvements Element of the Comprehensive Plan during the next CIE update to include improvements.

Contacts:

Questions or Comments regarding Transportation Concurrency Reviews please contact:
Charles E. White, AICP Transportation Review Manager
 (813) 307-4513, Fax: (813) 276-8417
 Email: Whitece@hillsboroughcounty.org

Questions or Comments regarding Transportation Impact Fee Eligibility please contact:
Shawn Perrine, Impact Fee Manager
 (813) 272-6309 Fax: (813) 276-8417
 Email: perrines@hillsboroughcounty.org

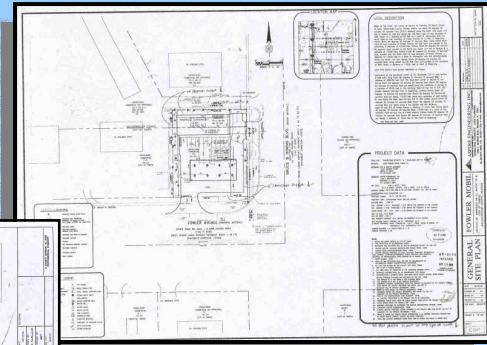
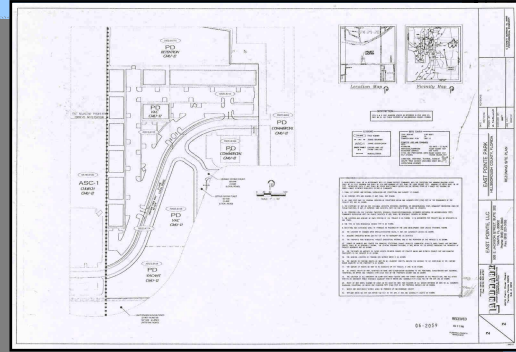
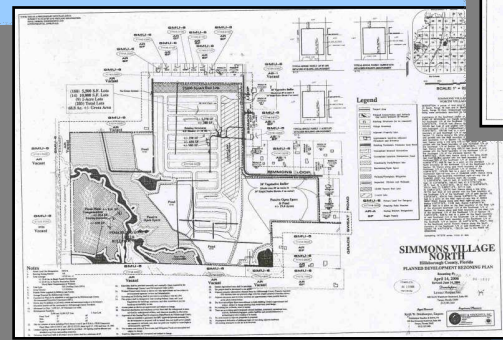
Prepared By Planning & Growth Management and Growth Management Department
 Transportation & Land Development Review Division
 Robert Campbell, P.E., Director



STEP 2:

A methodology meeting with PGM staff and applicant is conducted to discuss concurrency mitigation options.

If proportionate fair share is an option, a pre-application meeting will be held to discuss and agree on traffic methodology.



STEP 3:

Applicant submits detailed traffic analysis and County staff reviews submitted traffic analysis for completeness. Staff reviews mitigation and proportionate fair share calculations.

STEP 4:

Once the analysis is determined to be sufficient, staff reviews the proportionate fair share calculations and determines if they are appropriate. The applicant completes the application and pay application fees.

STEP 5:

Staff works with the applicant to determine the project or projects that are eligible for the applicants proportionate fair share payment.

Formula

$$\text{Prop Fair Share} = \sum [[(\text{Development Trips}_i) / (\text{SV Increase}_i)] \times \text{Cost}_i]$$

STEP 6:

Staff reports the recommendations for proportionate fair share calculations and potential projects to the Transportation Review Committee (TRC).

STEP 7:

Staff conducts a final meeting with the applicant to discuss the final proportionate fair share calculation and proposed project in order to begin preparation of a Proportionate Fair Share Agreement.

Proportionate Fair-Share Project Requirements

- Proposed Development is consistent with Hillsborough County Comp Plan.
- The Improvement is in the County's 5-year Capital Improvements (CIE), or
- The County agrees to amend it's CIE to add the needed improvement and/or
- The Board may allow for the Developer to construct an improvement of "significant benefit" if all the applicable criteria are met.

STEP 8:

Staff prepares final draft of the Proportionate Fair Share Agreement and circulates the Agreement to other Departments and Agencies for comments.

Reference Documents, including but not limited to:

1. Hillsborough County Adequate Public Facilities Ordinance
2. FDOT Roadway Cost Estimates
3. MPO Transportation Improvement Program
4. MPO LRTP Needs Assessment
5. MPO Transit Bus Needs
6. Hillsborough County Capital Project Request List
7. Hartline Transit Development Plan
8. FDOT Work Program
9. Hillsborough County Project Information Management System (PIMS)

STEP 9:

Staff schedules a BOCC meeting date and presents the Final Proportionate Fair Share Agreement along with a resolution, if necessary, to the BOCC for their consideration.

Example of Calculation

Improvement	Dist (Miles)	% of new Capacity Consumed	Project Cost	Proportionate Fair Share Cost
Add 1 Through Lane on Outside With 5' Shoulders	1.75	5.5% 50 Trips	\$ 5.2 Mil	\$ 286,000
Add 1 Through Lane on Outside With 5' Shoulders	2.25	11% 100 Trips	\$5.2 Mil	\$572,000
Total				\$858,000