



HILLSBOROUGH  
COUNTY PLANNING  
AND GROWTH  
MANAGEMENT  
DEPARTMENT

# TRANSPORTATION CONCURRENCY

“PAY AS YOU GROW”

NOVEMBER, 2006

## PROPORTIONATE FAIR SHARE—WHAT IS IT AND WHERE WE ARE

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In 2005, the Florida State Legislators passed Senate Bill 360 that amended FSS §163.3180, or the concurrency statute. Until then, when a proposed new development failed to satisfy the transportation concurrency requirements, their options were limited. They could, for example, submit a higher level of analysis to prove that more capacity exists than the County gives the roads credit. They could down-size their project to fit the “de minimum” criteria, or they could build the improvements to create the new capacity needed to handle their traffic. With the passage of Senate Bill 360, the developers now have another alternative, i.e., Proportionate Fair Share.

Proportionate Fair Share (called Prop Share for short) gives the developers the opportunity, at their choice, to “pay-n-go”. That is, they can “buy” their concurrency by paying their fair share of the cost of the improvements needed to cure the deficiencies that are causing them to fail. Their proportionate fair share is based on the proportion of the new capacity created by the improvements that is consumed, or used up, by the new traffic that will be generated by the development.

There are caveats that make it more complex than it seems. The improvements needed to cure the deficiencies that prevent a development from passing concurrency, and on which the proportionate fair share cost is based, must already be in the outer two years of the Capital Improvements Element (CIE) of the Comprehensive Plan. Or, the County must make a commitment to include those projects into the CIE during the next update of the Comprehensive Plan. These projects must be found financially feasible, and funding for the projects must be identified in order to include them in the CIE.

Since, there are virtually no projects in the outer two years of the Hillsborough County CIE with the exception of Bruce B. Downs (which is too costly to be affordable for developers), Proportionate Fair Share as an option for potential developers who cannot otherwise pass concurrency, is virtually not available, except for another provision in the Statute.

The provision states that if the projects are too expensive to be included in the CIE, the County may still, at the County’s option, enter into an agreement with a developer whereby the developer’s fair share collected by the County would be spent on another project that is agreed upon between the developer and the County. The amount of proportionate fair share that is collected must be enough to construct a project that the County finds to be of *significant benefit* to the County’s transportation system.

**“DEFICIENCY IMPROVEMENT PROJECT MUST BE IN THE OUTER TWO YEARS OF THE CAPITAL IMPROVEMENT ELEMENT OF THE COMPREHENSIVE PLAN”**



CROSTOWN ELEVATED LANES

### UPCOMING EVENTS:

- LITHIA PINECREST PD&E STUDY TO BEGIN NOVEMBER 2006.
- PROPORTIONATE FAIR SHARE ORDINANCE EFFECTIVE DECEMBER 01, 2006.

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## FREQUENTLY ASKED QUESTIONS

### What does it mean to upgrade a roadway to current County Standards?

The County's Transportation Technical Manual states, "When existing roads serve as the access road(s) to new developments, the road(s) shall be improved to the maximum extent possible to comply with the minimum level required of the classification based on existing and proposed average daily trips." Improvements may include dedication of right-of-way, auxiliary lanes, storage lanes, sidewalks and adding additional pavement lane width. The specific improvements shall be determined during the preliminary site plan review process.

### What if right of way is not available to make the improvement?

The County has had many instances where applicants have received their project approvals with "Conditions of Approval". These conditions may require the applicant to make intersection improvements such as adding turn lanes. The applicant or their representative later informs County Staff that there is not sufficient right of way to make the improvement. The County's position regarding these requests, is that once conditions of approval have been accepted, it is the applicant's responsibility to complete necessary improvements. Failure to do so invalidates the original approval. Before accepting conditions, the applicant and his representative should ensure that the improvements are feasible.

### What is the maximum development I can have without having to do a detailed transportation analysis?

The maximum development that can occur without a detailed analysis depends on the location of the site. The Land Development Code / DPRM indicates that development that exceeds 1% of the daily level of service "C" capacity of the adjacent roads should submit a detailed analysis. That number will depend on the type of road(s) on which access is being proposed. It should be noted that although a proposed development may exceed the daily threshold, if the development does not exceed 50 peak hour trip ends, a detailed analysis may not be required.

### The transportation report I submitted was deemed to be insufficient by County staff. Why wasn't it accepted?

Prior to the initiation of a detailed report, it is always recommended that the applicants meet with staff to determine an approvable methodology. These would include but be not limited to:

- Which intersections do I analyze;
- What procedures should I use;
- What trip generation do I use;
- Is the site plan in conformance with the Transportation Technical Manual

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SB 360 also required the Florida Department of Transportation (FDOT) to prepare a model ordinance for local governments to adopt, that will initiate Proportionate Fair Share options within their own regulations. To satisfy this requirement, FDOT hired the Center for Urban Transportation Research (CUTR) to prepare a model ordinance, which CUTR has completed. SB 360 further requires every local government in the State to adopt Proportionate Fair Share options in their land use regulations. The Hillsborough County Attorney's Office, together with Transportation Division staff, and input from a special committee selected from the Tampa Bay Builders' Association prepared the ordinance. Other Departments participating in preparing the Ordinance are Public Works and Real Estate. The new ordinance was adopted by the Board of County Commissioners on November 02, 2006 and will be effective on December 01, 2006.

## AUXILIARY LANE REQUIREMENTS

1. If more than 20 left-turning vehicles per hour on a two-lane arterial or collector roadway, then left turn lanes are warranted,
2. If more than 50 right-turning vehicles per hour on a two-lane arterial or collector roadway, then right turn lanes are warranted,
3. If more than 40 right-turning vehicles per hour, on a four-lane rural roadway, then a right turn lane is warranted,
4. If more than 80 right-turning vehicles per hour, on a four-lane urban roadway, then a right turn lane is warranted,
5. If more than 60 right-turning vehicles per hour, on a six-lane rural roadway, then a right turn lane is warranted,
6. If more than 100 right-turning vehicles per hour, on a six-lane urban roadway, then a right turn lane is warranted,
7. If more than 20 left-turning vehicles per hour, on multi-lane roadways, then a left turn lanes shall be constructed.

Source: LDC Sec. 6.04.04.

## ADDRESSING CONNECTIVITY

Connectivity refers to the degree to which a road or path system is connected, and therefore the directness of travel between destinations. A hierarchical road network with many dead-end streets that connect to a few major arterials provides less accessibility than a well-connected network. Increased connectivity reduces vehicle travel by reducing travel distances between destinations. Connectivity also improves walking and cycling access, particularly where paths provide shortcuts, so walking and cycling are relatively direct.

During the 1960s through the 1990s, roadway design practices favored a poorly-connected *hierarchical* network, with numerous cul-de-sacs that connect to a few major arterials. This increase the amount of travel required to reach destinations, concentrate traffic onto fewer roads, and create barriers to nonmotorized travel. A connected road network emphasizes accessibility by accommodating more direct travel with traffic dispersed over more roads, while a hierarchical road network emphasizes *mobility* by accommodating higher traffic volumes and speeds on fewer roads. New Urbanism and Smart Growth land use policies support improved connectivity as a way to increase land use accessibility. For a particular development or neighborhood, connectivity applies both internally (streets within that area) and externally (connections with arterials and other neighborhoods).

### How It Is Implemented

Connectivity can be increased in the following ways: during roadway and pathway planning; when subdivisions are designed; by adopting street connectivity standards or goals; by requiring alleyways and mid-block pedestrian shortcuts; by constructing new roads and paths to connect destinations; by using shorter streets and smaller blocks; and by applying Traffic calming practices rather than closing off streets to control excessive vehicle traffic.

Typical street connectivity standards or goals include the features listed below. Of course, such standards must be flexible to accommodate specific conditions, such as geographic barriers.

- Encourage average intersection spacing for local street to be 300-400 feet.
- Limit maximum block size to 5-12 acres.

- Limit maximum intersection spacing for local streets to about 600 feet.
- Limit maximum intersection spacing for arterial streets to about 1,000 feet.
- Limit maximum spacing between pedestrian/bicycle connections to about 350 feet (that is, it creates mid-block paths and pedestrian shortcuts).
- Reduce street pavement widths to 24-36 feet.
- Limit or discourages cul-de-sacs (for example, to 20% of streets).
- Limit the maximum length of cul-de-sacs to 200 or 400 feet.



- Limit or discourages gated communities and other restricted access roads.
- Require multiple access connections between a development and arterial streets.
- Require a minimum connectivity index, or rewards developments that have a high connectivity index with various incentives.
- Specifically favor pedestrian and cycling connections, and sometime connections for transit and emergency vehicles, where through traffic is closed to general automobile traffic.
- Create a planning process to connect street “stubs,” that is streets that are initially cul-de-sacs but can be connected when adjacent parcels are developed in the future.

### Travel Impacts

Increased street connectivity can reduce vehicle travel by reducing travel distances between destinations and by supporting alternative modes. Increased connectivity tends to improve walking and cycling conditions, particularly where paths provide shortcuts. This causes walking and cycling to be relatively faster than driving, which also supports transit use.

Hillsborough County has implemented some practices mentioned above in its subdivision regulations within the Land Development Code to improve street connectivity. Addressing street connectivity is an ongoing effort to provide a high level of accessibility and hence, promote sustainable transportation systems.



Source: [www.metro-region.org](http://www.metro-region.org)

## WHAT IS ACCESS MANAGEMENT?

Hillsborough County has experienced unprecedented growth in the last five years. Along with this growth the County's roadways are becoming increasingly more congested. The increased congestion has led to additional travel delays and unsafe roadway operating conditions. Hillsborough County has made the safe and efficient operation of roadways a top priority. In order to accomplish this goal, the County is focusing on Access Management.

### What is Access Management?

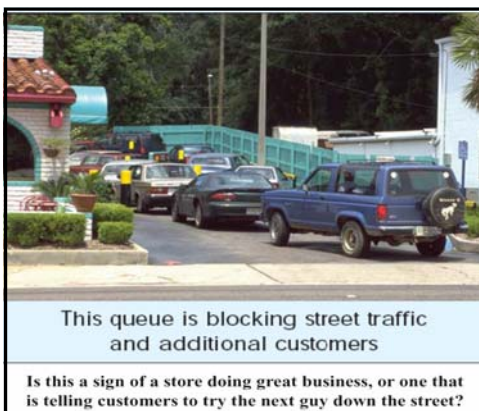
The Institute of Transportation Engineers (ITE) defines access management as "the systematic control of the location, spacing, design, and operation of driveways, median openings, interchanges, and street connections to a roadway."

Access management can also involve roadway design applications, such as median treatments and auxiliary lanes, and the appropriate spacing of traffic signals.

The purpose of access management is to provide vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system.

### Who is Responsible for Access Management?

As with most transportation and land use issues, access management has many dimensions. It crosses jurisdictions, organizational lines, and professions. The primary professions that guide urban development, such as planners, engineers, and architects, have important roles in determining access outcomes. Other key players include developers, elected officials, citizens, and attorneys who interact with each other and agency staff to shape urban policy and access decisions.

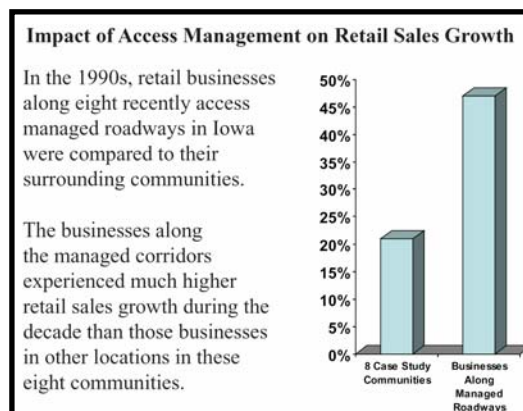


Source: www.accessmanagement.gov

## Who Benefits from Access Management?

There are many beneficiaries of Access Management.

- The motorists benefit because they face fewer decision points and traffic conflicts, which simplifies the driving task and increases driver safety.
- Pedestrians face fewer and less frequent access points where motorists enter and exit the roadway, thereby making it safer to walk along major roadways.
- Transit riders benefit from a safer walking environment and experience more convenient access to transit stops as connectivity of streets, sidewalks, and pedestrian ways are improved.



Source: www.accessmanagement.gov

- Business persons are served by a more efficient roadway system that captures a broader market area and provides a for stable property values due to a well-managed roadway corridor.
- Communities receive a safer transportation system and benefit from less need for road widening, which causes displacement of businesses, homes, and communities.
- Communities also benefit from more attractive roadway corridors.
- **An effective access management program can reduce crashes as much as 50%, increase roadway capacity by 23% to 45%, and reduce travel time and delay as much as 40% to 60%.**

Learn ways to manage roadway access in your community by visiting <http://www.cutr.usf.edu/research/10ways.pdf>

To learn more about Hillsborough County's Assess Management, please visit Section 6.04 of Hillsborough County LDC at <http://www.municode.com/>.

Source: Access Management, Transportation Research Board