

Proportionate Fair-Share Ordinance



Presentation

**Florida Association of County Engineers
and Road Superintendents**

June 28, 2006



Presentation Outline

- **Ordinance Development**
- **Proportionate Fair-Share Ordinance**
- **Implementation Process**
- **Next Steps**





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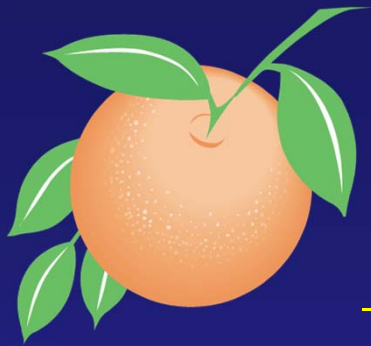




Background

Developing the Ordinance

- **Participatory Process**
 - **Concurrency Advisory Group**
 - **Technical Subcommittee**
 - **Interdepartmental Staff Workgroup**
 - **Office of the Comptroller**

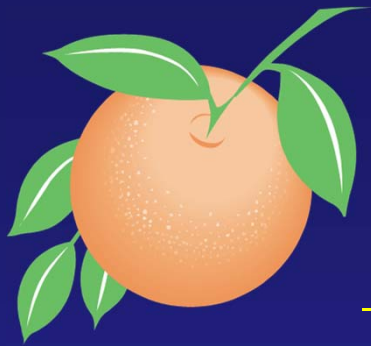


Background

Board Discussions

- February 22, 2005
- June 28, 2005
- August 2, 2005
- September 20, 2005
- October 4, 2005
- November 1, 2005





Background

Board Discussions

- **December 20, 2005**
- **January 10, 2006**
- **February 7, 2006**
- **March 7, 2006**
- **March 28, 2006**
- **May 23, 2006**





Background





Background

Concurrency Advisory Group

- **Staffed by Senior Staff**
- **Worked with the Office of the Comptroller**
- **Sought Technical Assistance**
- **Provided for Public Input**



Background

Concurrency Advisory Group

- **Area of Influence**
 - **Percentage of Trips**
 - **Size of the Project**
 - **Standard Distance - 1 Mile Urban / 2 ½ Mile Rural**



Background

Concurrency Advisory Group

- **Defining Project Trips**
 - **PM Peak Direction Trips**
 - **PM Peak Two-Way Trips**



Background

Concurrency Advisory Group

- **Impact Fee Credit Calculation**
 - **Vehicle Miles of Travel**
 - **Historic Distribution of Fees**
 - **Actual Expenditures in CIP**



Background

Concurrency Advisory Group

- **Segments**
 - **Portion of Segment in Impact Area**
 - **Entire Segment if Project Impacts Any Portion**



Background

Concurrency Advisory Group

- **Cost**
 - **Year of Expenditure**
 - **Discount**
 - **Current Cost Estimates**



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Proportionate Fair-Share Ordinance

Concurrency Management System

- **Starts with a Request for a Capacity Encumbrance Letter**
- **Requires a Traffic Study**





Proportionate Fair-Share Ordinance

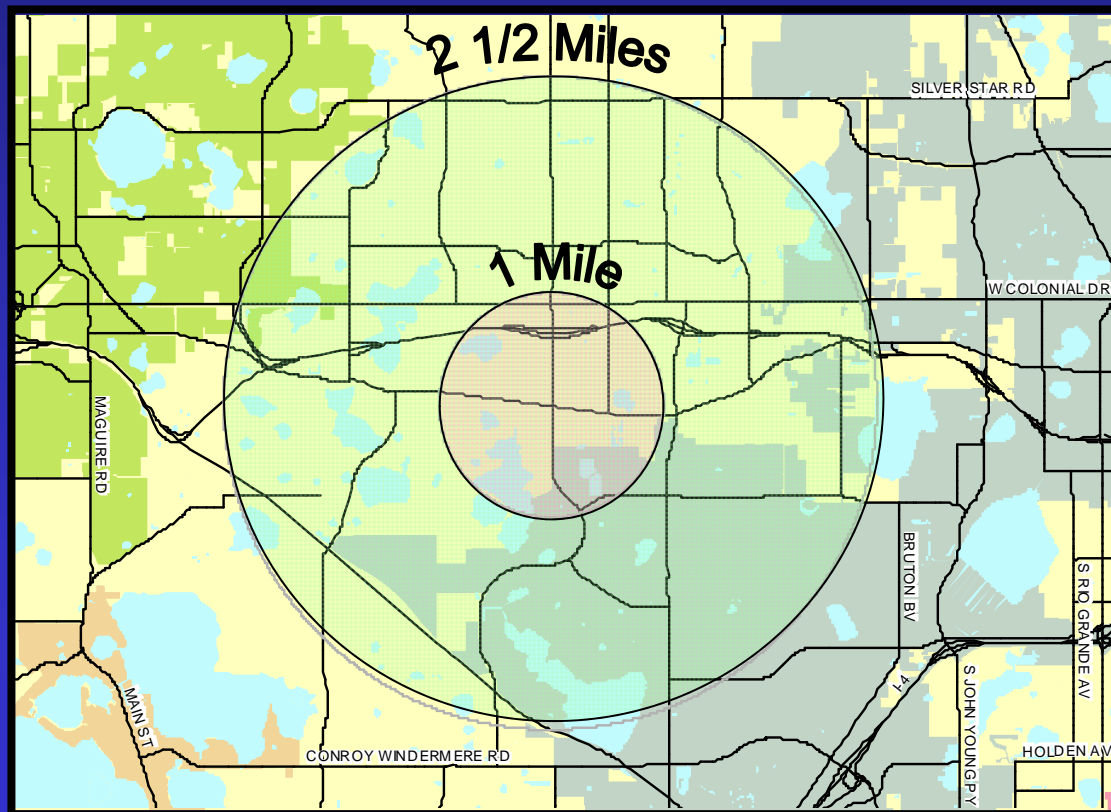
Traffic Study

- **Section 30-562**
 - **ITE Trip Generation**
 - **Area of Influence**
 - **Trip Distribution / Assignment**
 - **Service Volume**



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Area of Influence





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Proportionate Fair-Share Formula

$$\Sigma [[(\text{Development Trips}) / (\text{SV Increase})] \times \text{Cost}]$$

- **Development Trips** = PM Peak Hour Peak Directional Trips Generated by the Project



Proportionate Fair-Share Ordinance

Proportionate Fair-Share Formula

$$\Sigma [[(\text{Development Trips}) / (\text{SV Increase})] \times \text{Cost}]$$

- **SV Increase** = Increase in Peak Hour Peak Directional Capacity that Results from Improvement



Proportionate Fair-Share Ordinance

Level of Service Standards

- FDOT Quality Level of Service Handbook Generalized Tables and Approved Capacity Computation Tools

LOS A-B

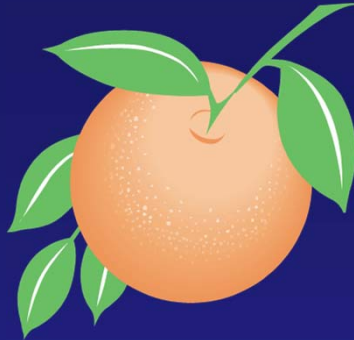


LOS C-D



LOS E-F





Proportionate Fair-Share Ordinance

Level of Service Standards

TABLE 4 - 7
GENERALIZED PEAK HOUR DIRECTIONAL VOLUMES FOR FLORIDA'S
URBANIZED AREAS*

UNINTERRUPTED FLOW HIGHWAYS					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	100	340	620	950	1,200
2 Divided	1,060	1,720	2,500	3,230	3,670
3 Divided	1,600	2,500	3,740	4,540	5,200
STATE TWO-WAY ARTERIALS					
Class I (<0.00 to 1.99 signalized intersections per mile)					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	220	720	860	890
2 Divided	**	250	1,810	1,860	***
3 Divided	**	380	2,330	2,720	2,790
4 Divided	**	490	3,030	3,460	3,540
Class II (2.00 to 4.50 signalized intersections per mile)					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	100	590	810	850
2 Divided	**	220	1,260	1,710	1,800
3 Divided	**	340	2,110	2,570	2,710
4 Divided	**	440	2,790	3,330	3,500
Class III (more than 4.5 signalized intersections per mile and not within primary city central business district of an urbanized area over 750,000)					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	280	660	810	810
2 Divided	**	450	1,510	1,720	1,720
3 Divided	**	650	2,330	2,530	2,530
4 Divided	**	850	3,070	3,330	3,330
Class IV (more than 4.5 signalized intersections per mile and within primary city central business district of an urbanized area over 750,000)					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	270	720	780	780
2 Divided	**	450	1,580	1,660	1,660
3 Divided	**	650	2,390	2,490	2,490
4 Divided	**	850	3,130	3,250	3,250

Source: Florida Department of Transportation, Systems Planning Office, 605 Sawanee Street, MS 19 Tallahassee, FL 32399-0419
<http://www11.myflorida.com/planning/systems/um/los/default.htm>

NON-STATE ROADWAYS					
Major City/County Roadways					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	**	480	760	810
2 Divided	**	**	1,120	1,620	1,720
3 Divided	**	**	1,740	2,450	2,580

Other Signalized Roadways					
(signalized intersection analysis)					
Level of Service					
Lanes Divided	A	B	C	D	E
1 Undivided	**	**	250	530	660
2 Divided	**	**	580	1,140	1,320



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Level of Service Standards

- **ARTPLAN – HIGHPLAN**

**Computer Programs which Provide
a More Accurate Maximum Service
Volume by Allowing the Use of
Local Data in the Analyses**



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Proportionate Fair-Share Formula

$$\Sigma [[(\text{Development Trips}) / (\text{SV Increase})] \times \text{Cost}]$$

- **Cost** = Total Cost of Improving Road Segment Located Within the Area Tested for Concurrency



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Cost Updates

- Annual Cost Updates
- Cost Escalation for Payment Based on Year of Expenditure Costs
- Discount Formula





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Cost Updates

- **County Roadways Cost Estimates Adopted Capital Improvements Program**
- **State Roadways Cost Estimates Provided by the FDOT**





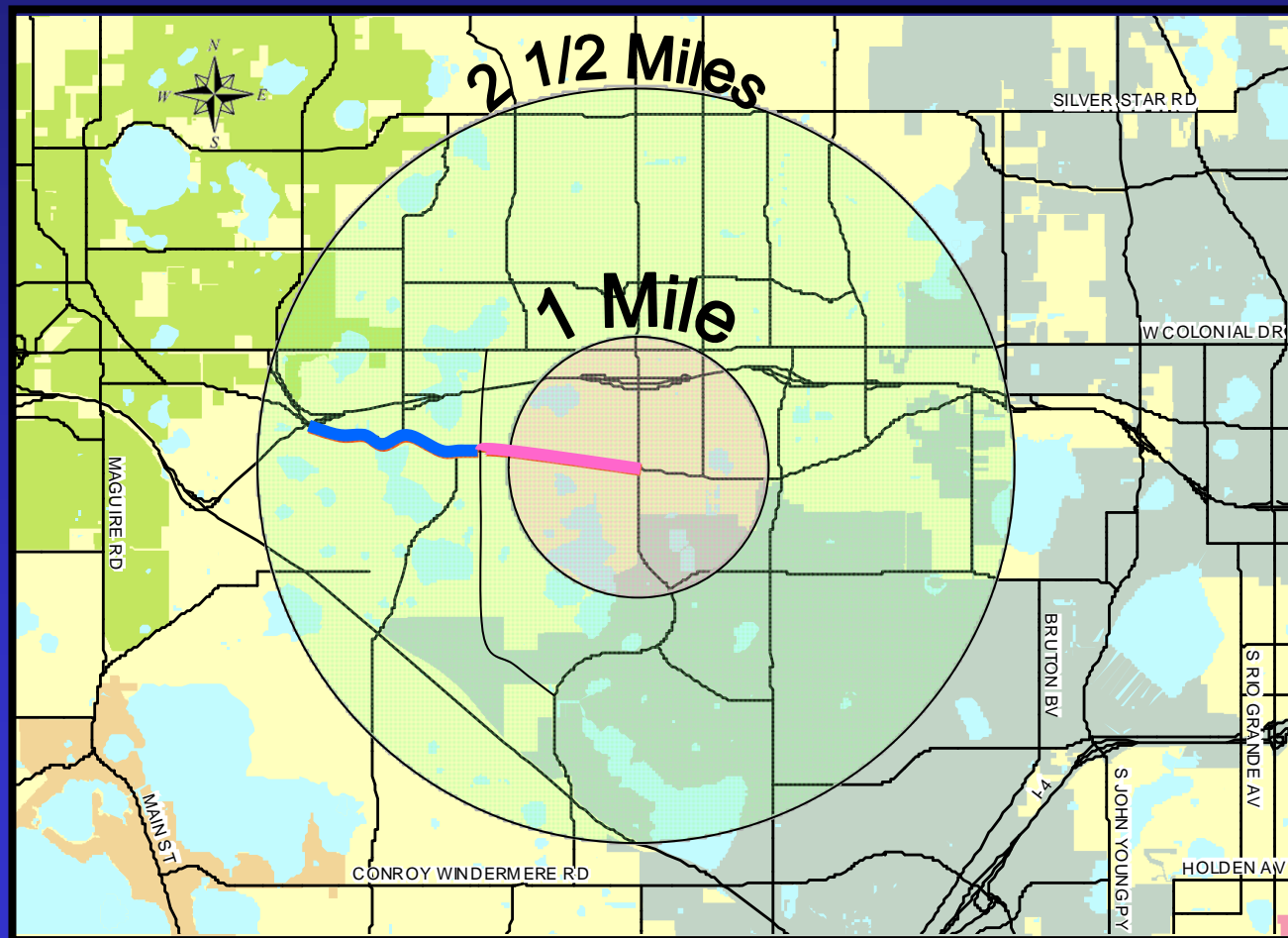
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Definition of Terms

- **Formula Applied to Each Segment of the Road Improvement that is Wholly or Partially Located Within the Area Tested for Concurrency**
- **Road Segments Defined in the Concurrency Management System**



Proportionate Fair-Share Ordinance





Proportionate Fair-Share Ordinance

Example – 100 Lot SFR Subdivision

- **Total Project Trips: 100**
- **Trips Assigned to Roadway With No Capacity: 40**
- **SV at Adopted LOS: 810**
SV Increase: $1720 - 810 = 910$



Proportionate Fair-Share Ordinance

Example – 100 Lot SFR Subdivision

- (Development Trips)/(SV Increase):
 $40/910 = .04$
- Cost Estimate: \$8 M
- $.04 \times \$8,000,000 = \$320,000$



Proportionate Fair-Share Ordinance

Impact Fee Credit Calculation

- **Formula Based on the Impact Fee Methodology**

$$\Sigma \left[\left[\frac{\text{Project VMT}}{\text{Total VMT}} \right] \times \text{Impact Fees Assessed} \right]$$



Proportionate Fair-Share Ordinance

Impact Fee Credit Calculation

$\Sigma [[(\text{Project VMT}) / (\text{Total VMT})] \times \text{Impact Fees Assessed}]$

- **Project VMT** = New Project Trips on Segment Multiplied by the Length of the Segment

$$40 \times 1 = 40$$



Proportionate Fair-Share Ordinance

Impact Fee Credit Calculation

$\Sigma [[(\text{Project VMT}) / (\text{Total VMT})] \times \text{Impact Fees Assessed}]$

- **Total VMT** = Total Project Trip Ends, Multiplied by % New Trip Factor, Multiplied by the Average Trip Length for the Land Use, Divided by 2

$$100 \times 1.00 \times 5 / 2 = 250$$



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Impact Fee Credit Calculation

$$\Sigma \left[\left[\frac{\text{Project VMT}}{\text{Total VMT}} \right] \times \text{Impact Fees Assessed} \right]$$

- **Impact Fees Assessed** = Impact Fees Assessed for the Benefit Area in which the Proportionate Fair-Share Payment was Collected

$$3400 \times 100 = \$340,000$$



Proportionate Fair-Share Ordinance

Impact Fee Credit Calculation

$\Sigma [[(\text{Project VMT}) / (\text{Total VMT})] \times \text{Impact Fees Assessed}]$

$$40 / 250 = .16$$

$$.16 \times \$340,000 = \$54,400$$

$$\text{Impact Fee Credit} = \$54,400$$



Proportionate Fair-Share Ordinance

Total Calculation

- **Proportionate Fair Share: \$320,000**
- **Impact Fees: \$340,000**
- **Impact Fee Credit:
<\$54,400>**
- **TOTAL: \$605,600**





Proportionate Fair-Share Ordinance

Example – 50,000 Sq. Ft. Retail

- **Total Project Trips: 194**
- **Trips Assigned to Roadway With No Capacity: 20**
- **SV at Adopted LOS: 810**
SV Increase: $1720 - 810 = 910$



Proportionate Fair-Share Ordinance

Example – 50,000 Sq. Ft. Retail

- (Development Trips)/
(SV Increase):

$$20/910 = .02$$

- Cost Estimate: \$8 M

- **.02 X \$8,000,000 = \$160,000**





Proportionate Fair-Share Ordinance

- **Impact Fee Credit Calculation**

$\Sigma [[(Project\ VMT) / (Total\ VMT)] \times Impact\ Fees\ Assessed]$

$$20 / 194 \times .32 \times 5 / 2 = .13$$

$$.13 \times \$614,050 = \$79,820$$

$$Impact\ Fee\ Credit = \$79,820$$



Proportionate Fair-Share Ordinance

Total Calculation

- **Proportionate Fair Share: \$160,000**
- **Impact Fees: \$614,000**
- **Impact Fee Credit: <\$79,820>**
- **TOTAL: \$694,180**





Proportionate Fair-Share Ordinance

Concurrency Management System

- **Section 30 - Article XII - OC Code**
- **Applies to All Residential and Non-Residential Development**
 - **Residential – Platting**
 - **Commercial – Plan Review**





Proportionate Fair-Share Ordinance

Small Project Process - 25 Trips

- **Expedited Process**
- **Waiver of Impact Fee Credits**
- **Agreement Executed by Chairman of Concurrency Review Committee**



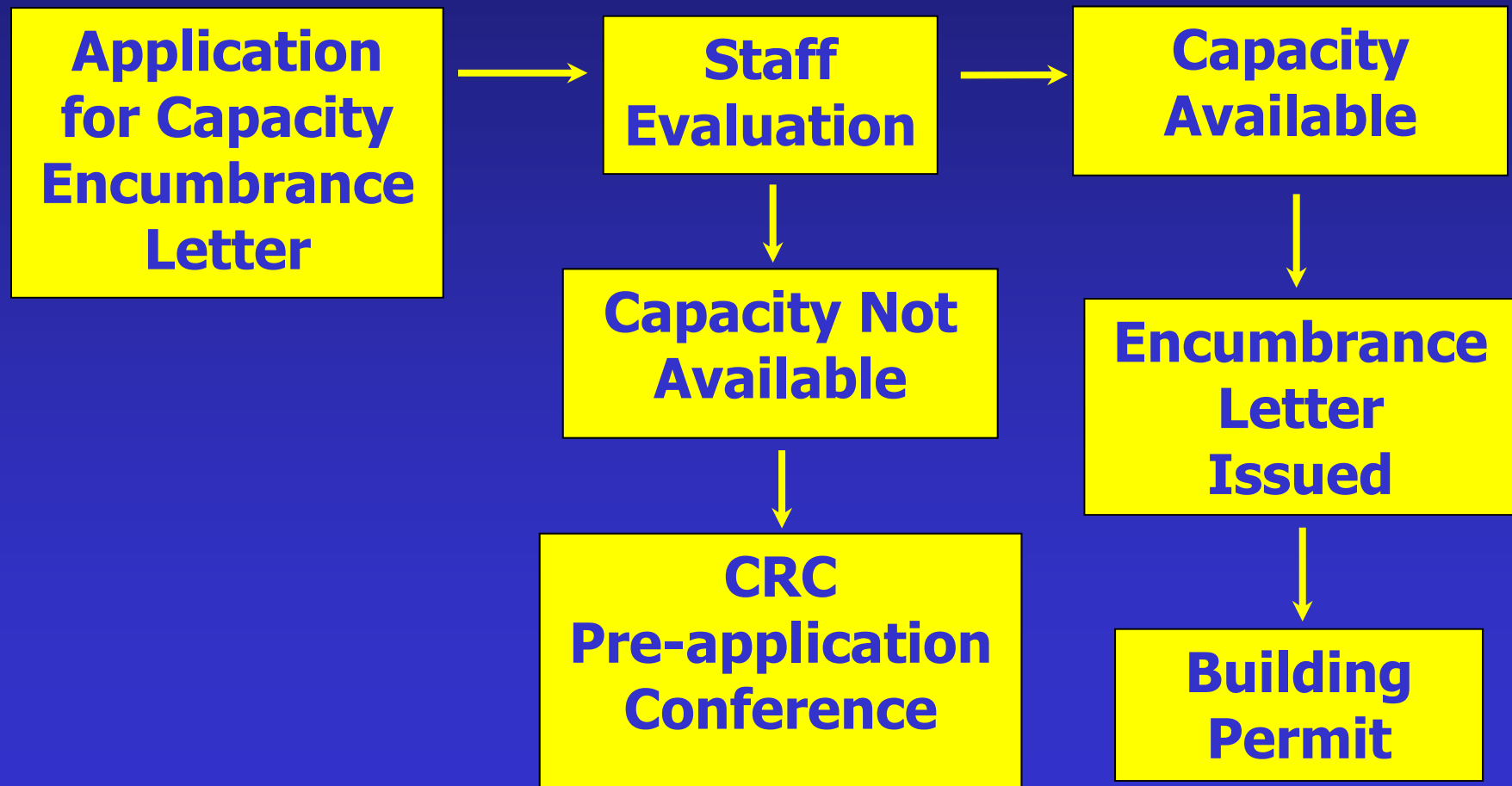
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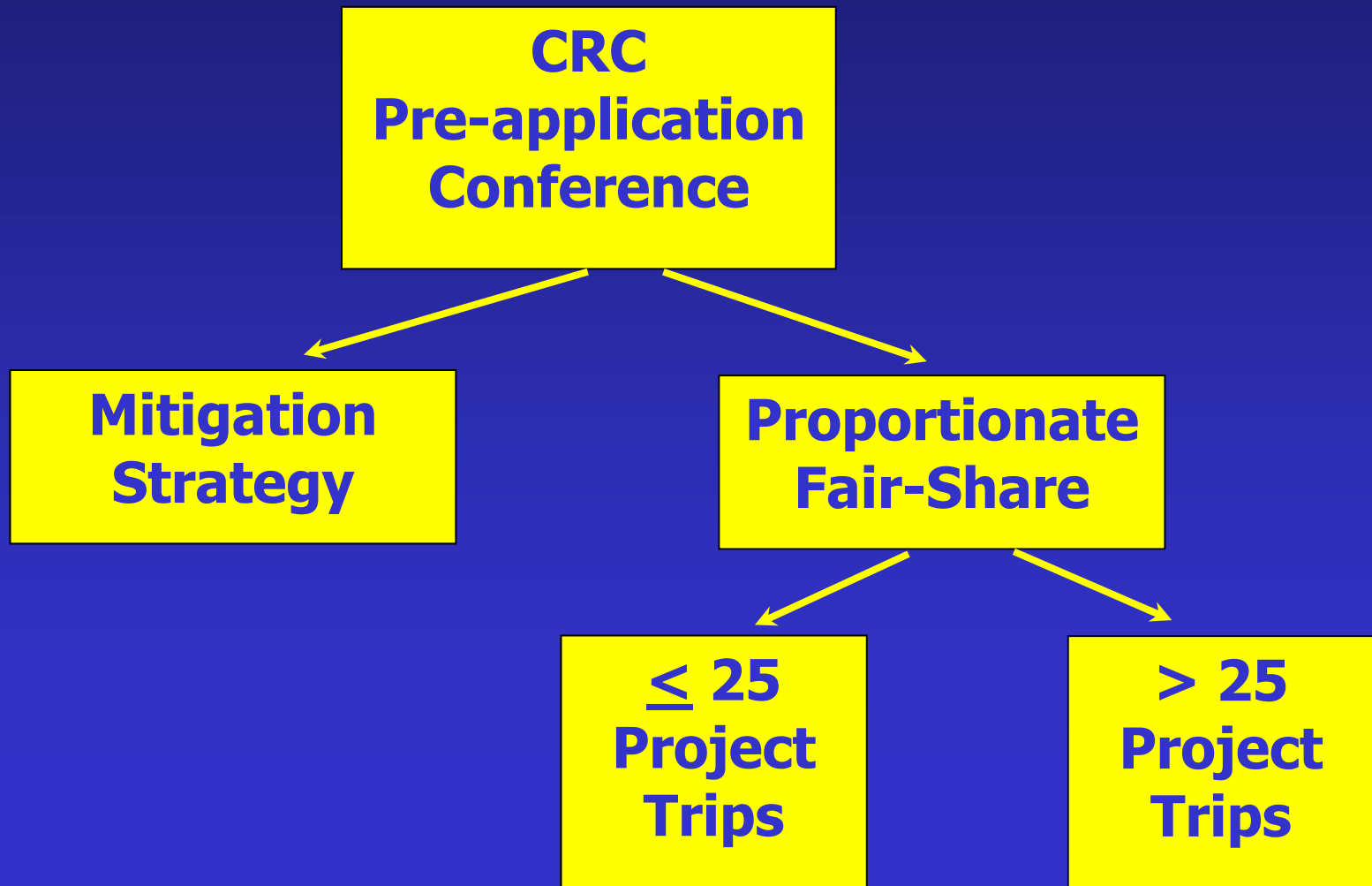


Implementation Process



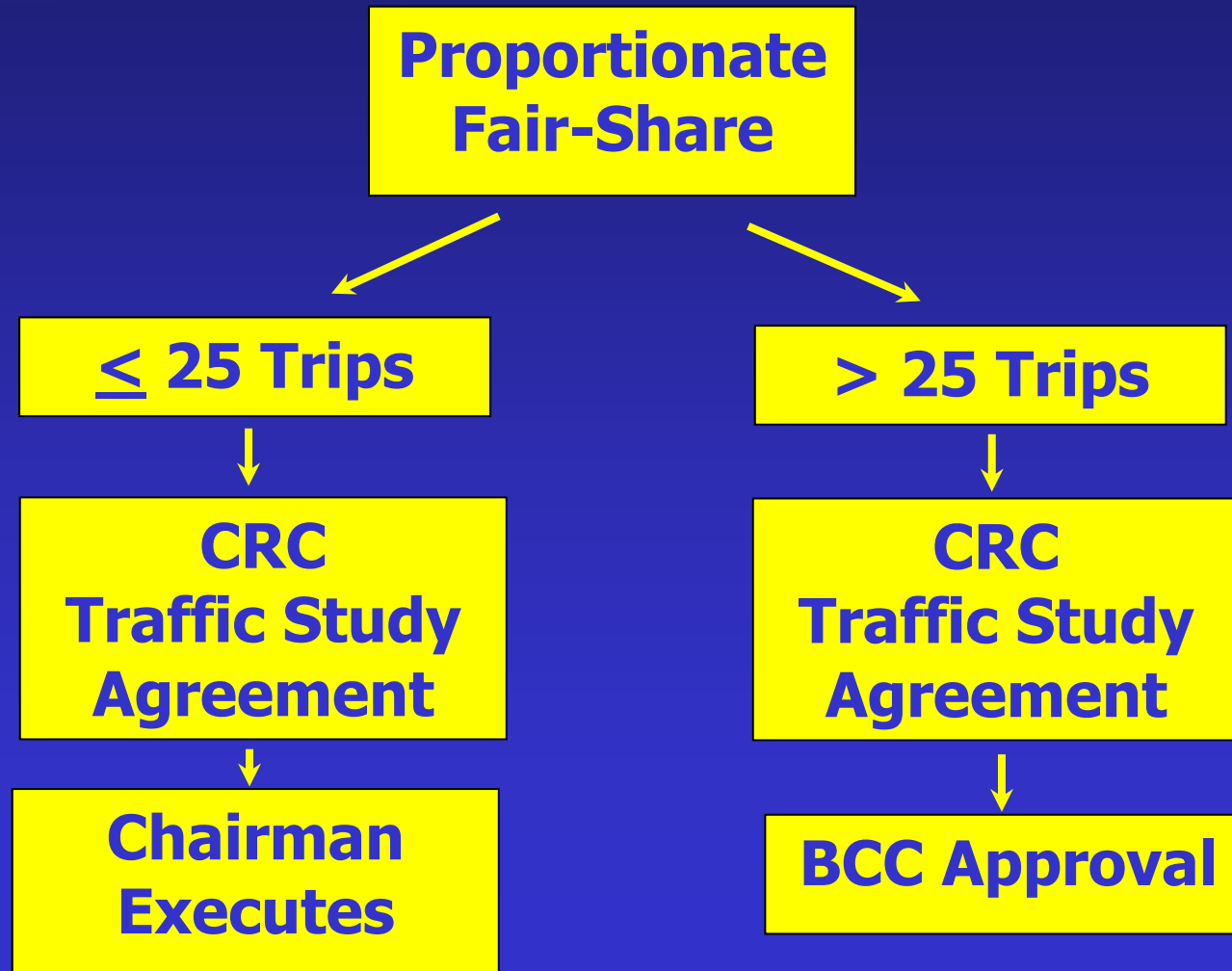


Implementation Process





Implementation Process





Implementation Process

Concurrency Review Committee

- **Members**

- **GM Fiscal & Administrative Services**
- **Office of Management and Budget**
- **Planning**
- **Public Works Engineering**
- **Traffic Engineering**
- **Transportation Planning**



Implementation Process

Concurrency Review Committee

- **Responsibilities**
 - **Pre-Application Conferences**
 - **Review Traffic Studies**
 - **Review Expedited Application**
 - **Review Reservation Extension**
 - **Approve “Special Analysis”**



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Next Steps

- **Comprehensive Plan Amendments**
- **Ordinance Review**
- **Implementation Process Review**
- **Ordinance Amendments**

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<http://www.orangecountyfl.net/cms/DEPT/pw/transplan/ConcurrencyAdvisoryGroup/default.htm>

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