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City of
Gainesville

Inter-Office Communication

Item No. 10

TO: City Plan Board
FROM: Planning Division Staff
SUBJECT: Petition PZ-09-67 CPA. City Plan Board. Amend the City's Concurrency Management, Future Land Use.

DATE: June 25, 2009

Recommendation

Staff recommends approval of Petition PZ-09-67 CPA.

Explanation

This petition involves several text amendments to Comprehensive Plan elements to make the City's Plan consistent with the provisions of 2009 Senate Bill 360 (SB 360), especially as concerns transportation concurrency. The elements being amended are: Concurrency Management, Future Land Use, Transportation Mobility, and Capital Improvements. A related petition, Petition PZ-09-68 LUC, contains the map changes to implement the policies in this petition. In particular, the map changes in PZ-09-68 LUC show the new citywide Transportation Concurrency Exception Area (TCEA) and designated sub-zones.

A summary of the most important changes in each element is listed below.

In the Concurrency Management Element:

1. The creation of new TCEA sub-zones and supporting standards and requirements for funding transportation mobility needs in the TCEA. Included within the standards is a new requirement for large developments generating more than 5,000 average daily trips to fund transit at 15-minute frequencies or be on an existing transit route that operates at minimum 15-minute frequencies.
2. New requirements for vacant parcels of 30 or more acres to have a mix of residential and non-residential uses with certain exceptions for infill parcels in built-up areas.
3. An increase in the allowable redevelopment trip credits as an important incentive for redevelopment.

4. Clear guidance for the City, the development community, and the public as to how annexed properties without City land use will be treated in the TCEA.
5. Removal of the restriction on expanding the TCEA west of I-75 due to the citywide status of the Gainesville TCEA.

In the Future Land Use Element:

1. Added changes under Objective 4.4 about the treatment of annexed properties related to the TCEA.
2. Added a new policy concerning large developments that trigger the State statutory threshold for Developments of Regional Impact (DRIs) that move forward without using the State-required DRI review process because they are exempt due to the City's dense urban land area status. The policy requires the development to address regional impacts associated with the development.

In the Transportation Mobility Element:

1. Deletion of Policy 7.1.13 concerning transportation mitigation requirements outside the TCEA.
2. Added a policy concerning the implementation of bus rapid transit (BRT) based on route feasibility, funding availability, and financial feasibility.

In the Capital Improvements Element:

1. Added new TCEA zone policy numbers in Policy 1.2.6 concerning adopted level of service standards for transportation.
2. Addition of new transit and transportation projects in the 5-Year Schedule of Capital Improvements.

Background

On June 1, 2009, SB 360 (now known as Chapter Law No. 2009-96), which amends portions of the State Growth Management regulations, was signed into law. One of the primary changes enacted is that Dense Urban Land Areas (DULAs) are designated as Transportation Concurrency Exception Areas (TCEA). The City of Gainesville anticipates being designated as a DULA on or before July 8, 2009.

A DULA in 2009 SB 360 is defined as:

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- (a) A municipality that has an average of at least 1,000 people per square mile of land area and a minimum total population of at least 5,000;
- (b) A county, including the municipalities located therein, which has an average of at least 1,000 people per square mile of land area; or
- (c) A county, including the municipalities located therein, which has a population of at least 1 million.

The City meets the definition under (a) as a municipality that has a total population of more than 5,000 and approximately 2,064 persons per square mile of land area as of April 1, 2008 (the last official date for population estimates). Taking into account the recent Butler Plaza and SW 20th Avenue annexations in 2008 and 2009, the City still meets the DULA definition (June 1, 2009 population estimate of 131,639/62.58 square miles of city area) with approximately 2,103 persons per square mile.

Data and Analysis Report

The City first established a TCEA (Zones A and B) in 1999 with the adoption of the Concurrency Management Element. In 2005, Zone C was added to the TCEA by a Comprehensive Plan amendment. Those zones covered a sizable portion of the Gainesville city limits. However, as annexations occurred after 2005, the City did not extend the TCEA limits.

With the adoption of 2009 SB 360 and Gainesville's expected DULA designation, the entire area within city limits will be a TCEA. To clarify the TCEA discussion in this report, the following terminology will be used.

Existing TCEA refers to TCEA Zones A, B, and C as adopted in the City's Comprehensive Plan prior to the date the City is designated as a Dense Urban Land Area (DULA).

State-mandated TCEA refers to the areas outside of the Existing TCEA that will become a TCEA upon official DULA designation by the State Department of Community Affairs (DCA).







TCEA refers to the TCEA associated with the adoption of the proposed Comprehensive Plan amendments in this petition and PZ-09-68 LUC.

Map 1 illustrates the Existing and State-mandated TCEA areas.

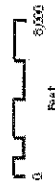
Development in the Existing TCEA is regulated by objectives and policies in the Concurrency Management Element. In order to address the state-mandated TCEA and implement new development regulations for the overall TCEA, the City is proposing several Comprehensive Plan amendments that create new TCEA zones and requirements to support and fund mobility in the area. See Map 2 that illustrates how the state-mandated TCEA areas are allocated to TCEA sub-zones.

MAP 2

State Mandated TCEA
With Sub-Zones

-  Zone A
-  Zone B
-  Zone C
-  Zone D
-  Zone E
-  Zone M

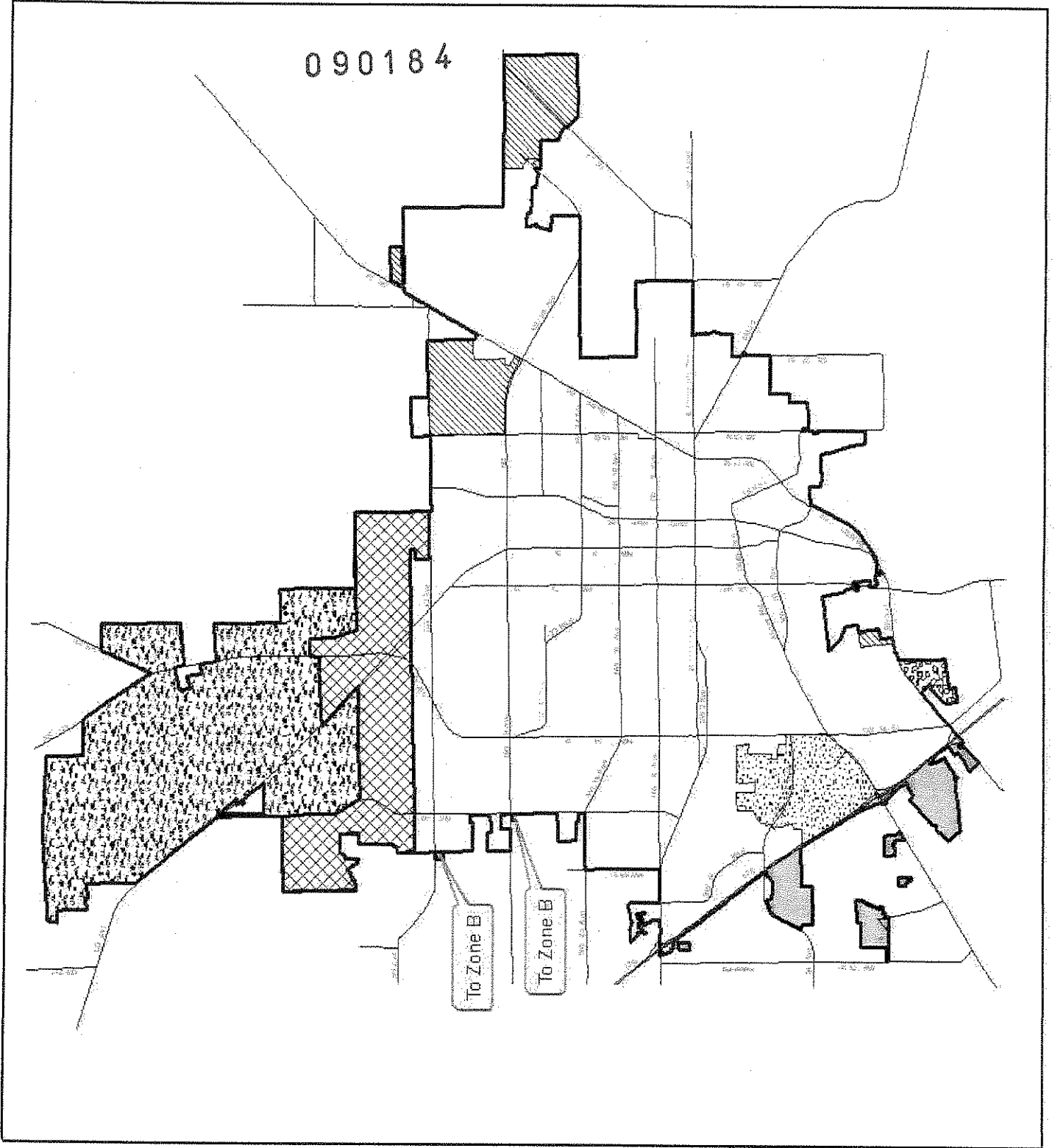
City Limits



City of Gainesville
Planning Dept.
GIS Section



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This is consistent with a provision in 2009 SB 360 concerning municipalities designated as DULAs. That provision states, "...shall, within two years after the designated area becomes exempt, adopt into its local comprehensive plan land use and transportation strategies to support and fund mobility within the exception area, including alternative modes of transportation."

Attachment 1 contains the amended and new goals, objectives, and policies associated with this Comprehensive Plan amendment. Attachment 1 is organized with the amendments in the following order: Concurrency Management Element, Future Land Use Element, Transportation Mobility Element, and Capital Improvements Element.

Key Strategies

The following strategies are incorporated into the new and amended Comprehensive Plan policies to support and fund mobility in the City's TCEA.

1. Incentives for redevelopment so that blight associated with vacant or abandoned buildings can be reduced and allow more dense and/or intense uses in built-up areas.
2. Requirements for larger vacant parcels to contain a mix of residential and non-residential uses to facilitate a reduction in vehicle miles traveled and promote energy-efficient land use patterns.
3. Adoption of new and revised standards in TCEA zones concerning mobility funding.
4. Incentives for infill development in built-up areas.
5. Requirements for new multi-family development in the University of Florida Context area (as mapped in the UF Campus Master Plan) to fund transit capital needs associated with that area.
6. Support for alternatives modes of transportation as benefiting the overall transportation system.
7. Funding requirements for the construction of a new or expanded bus maintenance/operations facility to allow expansion of the Regional Transit System (RTS) service. Without the new or expanded maintenance/operations facility, RTS is constrained due to lack of ability to service additional transit vehicles. Additional transit vehicles are an important component of enhanced transit frequencies or expanded hours of transit service.
8. Maintaining design requirements in the TCEA as a critical component.
9. A tiered system of standards/requirements in the TCEA zone policies that recognizes that higher mobility funding requirements in areas more distant from the city core is necessary

to support mobility in those areas and serves as an incentive for redevelopment and infill development in core areas.

New TCEA Zones

The City's Existing TCEA was based on a geographic system that identified different transportation mobility needs and standards. The general philosophy and practices of the Existing TCEA are carried forward in the new policies for the overall TCEA. This provides continuity and clarity that is beneficial to the City and the development community.

Zone A was identified as the area where development and redevelopment should be given the greatest incentive due to: proximity to the university; the existence of the Community Redevelopment Areas; the gridded street network, and desire to promote East Gainesville.

Zone B was identified as a market-driven area for development that was characterized as generally built-up and subject to redevelopment.

Zone C was identified as a highly market-driven area for development that was characterized by proximity to UF, major shopping facilities and being heavily served by transit. The area contains both built-up and vacant areas.

Newly created Zone D is the area west of I-75 that falls within city limits. The primary strategy in this area is support for the extension of SW 40th Boulevard from SW Archer Road to SW 47th Avenue to provide a parallel road facility for I-75 relief. Other strategies include mitigation support for the construction of a new or expanded bus maintenance/operations facility to allow expansion of the transit fleet (currently the Regional Transit System has extremely limited fleet expansion ability due to the lack of maintenance facilities). Transit will serve as a mobility strategy associated with Archer Road congestion for this area. Since this area is west of I-75, supplying transportation mobility is more difficult, and the standards are tiered to reflect this.

Zone E is the northern area of the city that primarily consists of vacant lands distant from the city core. The primary transportation mobility strategy in this area involves the widening of SR 121 (the extension of NW 34th Street) past US 441 to CR 231. This strategy is appropriate because much of the vacant land shares the use of SR 121 with truck and industrial traffic in the area. Other strategies include mitigation support for the construction of a new or expanded bus maintenance/operations facility to allow expansion of the transit fleet (currently the Regional Transit System has extremely limited fleet expansion ability due to the lack of maintenance facilities). Since this area is distant from the city core and there is no current transit service available, the standards associated with this zone are tiered to reflect the fact that supplying transportation mobility in this area is more difficult.

Zone M contains the Butler Plaza and SW 20th Avenue annexed areas that are anticipated to be more densely and intensely developed with commercial and residential uses as part of the Butler Plaza expansion and the Urban Village overlay plan. Zone M is designated primarily as a multi-

modal zone with strategies to support transit, pedestrians, bicyclists, and a more gridded street network in the area (including the extension of SW 62nd Boulevard and the construction of Hull Road as approved in Option M by the MTPO). This area is located proximate to the University of Florida (a major employer and a major trip destination). This multi-modal approach is seen as the best solution to handle mobility needs in the area due to congestion on Archer Road and SW 34th Street and complementary to the interconnectivity between this area and the University of Florida.

Development on annexed property without a City land use designation

Development on annexed property within the state-mandated TCEA that does not have a City land use designation (either pre- or post-DULA status) shall be regulated for concurrency in accordance with Future Land Use Element Objective 4.4 and its sub-policies and Section 171.062(2), which state that such developments shall continue to be subject to the County land use plan and county zoning regulations until such time as the City places its land use designation on the property. The County's transportation level of service standards and concurrency management procedures shall apply to these properties.


Additional regulations

As can be noted in Attachment 1, in addition to the zone designations and mitigation requirements, there are additional policies that provide redevelopment credits in order to incentivize redevelopment over greenfield development. The special regulations for auto-oriented uses, design policies, streetscaping and landscaping requirements, and restrictions on excess parking are continued in the new TCEA.

Impact on Affordable Housing

This petition will not have a direct impact on the provision of affordable housing. However, since it relates to the expansion of the TCEA, more affordable housing may become available as a result of changing the strict adherence to transportation concurrency requirements, which limits development potential in areas with roads not meeting adopted LOS standards.

Respectfully submitted,


Ralph Hilliard
Planning Manager

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ATTACHMENT 1

CONCURRENCY MANAGEMENT ELEMENT

GOAL 1

ESTABLISH A TRANSPORTATION CONCURRENCY EXCEPTION AREA, WHICH PROMOTES AND ENHANCES:

- A. URBAN REDEVELOPMENT;
- B. INFILL DEVELOPMENT;
- C. A VARIETY OF TRANSPORTATION CHOICES AND OPPORTUNITIES INCLUDING AUTOMOTIVE, PEDESTRIAN, BICYCLE AND TRANSIT;
- D. THE CITY'S ECONOMIC VIABILITY;
- E. DESIRABLE URBAN DESIGN AND FORM;
- F. A MIX OF RESIDENTIAL AND NON-RESIDENTIAL USES;
- G. STREETSCLAPING/LANDSCAPING OF ROADWAYS WITHIN THE CITY; AND,
- H. PEDESTRIAN AND BICYCLIST COMFORT, SAFETY AND CONVENIENCE.

Objective 1.1

The City establishes the Gainesville Transportation Concurrency Exception Area (TCEA) with sub-areas designated Zone A , B, and C, D, E, and M as shown in Map 1. ~~The TCEA is further described in the Legal Description shown in Exhibits A, B, C and D.~~

Policies

- 1.1.1 All land uses and development located within the Gainesville Transportation Concurrency Exception Area (TCEA), except for Developments of Regional Impact (DRI) proceeding under the state development-of-impact-review process and annexed properties without City-designated land use, shall be excepted from transportation concurrency for roadway level of service standards. ~~An existing Development of Regional Impact may qualify for a roadway level of service transportation concurrency exception for redevelopment or additions to the DRI providing all the requirements in Policy 1.1.11 are met. Developments outside of the TCEA that impact roadways within the TCEA shall be required to meet transportation concurrency standards adopted in the regulating local government comprehensive plan.~~
- 1.1.2 Transportation concurrency exceptions granted within the TCEA shall not relieve development from meeting the policy requirements set within this

element to address transportation needs within the TCEA, except as delineated within this element.

1.1.3 In order to promote redevelopment and infill in the eastern portion of the city and the area near the University of Florida, Zone A is hereby established as a sub-area of the TCEA. Except as shown in Policy 1.1.4 and Policy 1.1.14, funding for multi-modal transportation modifications and needs in Zone A shall be provided, to the maximum extent feasible, by the City, Community Redevelopment Agency, federal or state governments, and other outside sources such as grant funds. Transportation modifications, which are required due to traffic safety and/or operating conditions and are unrelated to transportation concurrency shall be provided by the developer.

1.1.4 Within Zone A, development or redevelopment shall provide the following:

- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage.
- b. Cross-access connections/easements or joint driveways, where available and economically feasible.
- c. Deeding of land or conveyance of required easements along the property frontage to the City, as needed, for the construction of public sidewalks, bus turn-out facilities and/or bus shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable for development. A Transit Facility License Agreement (executed by the property owner and the City) for the placement of a bus shelter and related facilities on private property may be used in lieu of deeding or conveyance of easements if agreeable to the City. The License term shall be for a minimum of 10 years.
- d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in the Access Management portion of the Land Development Code.
- e. Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site.

Transportation modifications which are required due to traffic safety and/or operating conditions and which are unrelated to transportation concurrency shall be provided by the developer.

1.1.5 Within Zones B, C, D, E, or M new development or redevelopment shall provide all of the items listed in Policy 1.1.4 a. through e. and meet required policy standards and requirements, as specified in Policy 1.1.6, or 1.1.7, 1.1.9,

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1.1.11, 1.1.13, and 1.1.14 (as relevant to the Zone), to address transportation needs within the TCEA. Transportation modifications which are required due to traffic safety and/or operating conditions and which are unrelated to transportation concurrency shall be provided by the developer and any such items provided shall not count towards meeting required standards in Policy 1.1.6, or 1.1.7, 1.1.9, 1.1.11, 1.1.13, and 1.1.14 (whichever is relevant to the Zone).

- 1.1.6 Within Zone B, development or redevelopment shall be required to meet the following development standards, provided at developer expense, based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs roadway facilities. The developer may sign a development agreement or contract with the City of Gainesville for the provision of these standards. The choice of standards shall be subject to the final approval of the City during the plan approval process. The standards chosen shall relate to the particular site and transportation conditions where the development is located. The developer may choose to provide one or more standards off-site with the City's approval. In recognition of the varying costs associated with the standards, the City shall have the discretion to count some individual standards, based on cost estimates provided by the developer and verified by the City, as meeting two or more standards.

Net, new average daily trip generation	Number of standards which must be met
Less than 50	At least one standard
50 to less than 100	At least two standards
100 to 400	At least three standards
400 to 999	At least five standards
Greater than 1,000 trips but less than 5,000 trips	At least eight standards
Greater than 5,000 trips	At least twelve standards and meet a. or b. below: a. Be on existing transit route <u>with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS</u> b. Provide funding for a new transit route <u>or provide funding to improve transit headways to minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a</u>

minimum of three years.

Zone B Standards

- a. Intersection and/or signalization modifications to improve level of service and safety and address congestion management. This may include, but is not limited to: signal timing studies, fiber optic inter-connection for traffic signals, roundabouts, OPTICOM signal preemption, and/or implementation of elements of the Gainesville Traffic Signalization Master Plan Update. Implementation of the Master Plan includes installation of Intelligent Transportation System (ITS) features such as state of the art traffic signal controllers, dynamic message signs, and traffic monitoring cameras designed to maximize the efficiency of the roadway network by reducing congestion and delay.
- b. Addition of dedicated turn lanes into and out of the development. Funding for the construction of a new or expanded bus maintenance/operations facility.
- c. Construction of bus shelters built to City specifications or bus shelter lighting using solar technology designed and constructed to City specifications.
- d. Construction of bus turn-out facilities.
- e. Provision of bus pass programs provided to residents and/or employees of the development. The bus passes must be negotiated as part of a contract with the Regional Transit System.
- f. Payments to the Regional Transit System, which either increase service frequency or add additional bus service, including express transit service or bus rapid transit, where appropriate.
- g. Construction of public sidewalks where they are not currently existing. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA standards.
- h. Widening of existing public sidewalks to increase pedestrian mobility and safety.
- i. Deeding of land for the addition and construction of bicycle lanes, or construction of bicycle lanes to City specifications.
- j. Provision of ride sharing or van pooling programs.

- k. Use of joint driveways or cross-access to reduce curb cuts.
- l. Provision of park and ride facilities, built to RTS needs and specifications.
- m. Funding of streetscaping/landscaping (including pedestrian-scale lighting, where relevant) on public rights-of-way or medians, as coordinated with the implementation of the City's streetscaping plans.
- n. Business operations that can be proved to have limited or no peak hour roadway impact.
- o. Provision of shading through awnings or canopies over public sidewalk areas to promote pedestrian traffic and provide protection from the weather so that walking is encouraged. The awning or canopy shall provide pedestrian shading for a significant length of the public sidewalk in front of the proposed or existing building.
- p. Provision of additional bicycle parking over the minimum required by the Land Development Code. Additional bicycle parking may be used to substitute for the required motorized vehicle parking.
- q. In order to increase the attractiveness of the streetscape and reduce visual clutter along roadways, which promotes a more walkable environment, provision of no ground-mounted signage at the site for parcels with 100 linear feet or less of property frontage. Or, removal of non-conforming signage or billboards at the site. Signage must meet all other regulations in the Land Development Code.
- r. Enhancements to the City's greenway system (as shown in the Transportation Mobility Map Series) which increase its utility as a multi-modal transportation route. Such enhancements may include, but not be limited to: 1.) trail amenities such as benches, directional signage, or safety systems; 2.) bicycle parking at entry points or connecting with transit lines; 3.) land acquisition for expansion or better connectivity of the greenway system; 4.) additional entry points to the greenway system; 5.) bridges spanning creeks or wetland areas; and/or, 6.) appropriate trail surfacing.
- s. Participation in a transportation demand management program that provides funding or incentives for transportation modes other than single occupant vehicle. Such demand management programs shall provide annual reports of operations to the City indicating successes in reducing single occupant vehicle trips.
- t. Clustering of and design of the development for maximum density, or maximum FAR, at the site which preserves open space, reduces the need for

development of vacant lands, enhances multi-modal opportunities and provides transit-oriented densities or intensities.

- u. Construction of new road facilities which provide alternate routes to reduce congestion.
- v. Addition of lanes on existing road facilities (including, but not limited to, the expansion of SR 121 north of US 441 to CR 231 to 4 lanes), where acceptable to the City and/or MTPO, as relevant.
- w. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.

1.1.7 Within Zone C, development or redevelopment shall be required to meet the following development standards, provided at developer expense, based on the development's (including all phases) trip generation and proportional impact on ~~roadway facilities~~ transportation mobility needs. The developer may sign an agreement with the City of Gainesville for the provision of these standards. The choice of standards shall be subject to the final approval of the City during the plan approval process. The standards chosen shall relate to the particular transportation conditions and priorities in Zone C or adjacent areas. In recognition of the varying costs associated with the standards, the City shall have the discretion to count some individual standards, based on cost estimates provided by the developer and verified by the City, as meeting two or more standards.

Net, new average daily trip generation	Number of standards which must be met
Less than 50	At least one standard
50 to less than 100	At least three standards
100 to 400	At least 4.5 standards
400 to 999	At least 7.5 standards
Greater than 1,000 trips but less than 5,000 trips	At least twelve standards
Greater than 5,000 trips	At least eighteen standards and meet a. or b. below: a. Be on existing transit route <u>with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS</u> b. Provide funding for a new transit route or provide funding to improve transit <u>headways to minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS. Funding for new routes shall</u>

	<p><u>include capital and operating costs for a minimum of 5 years. Funding for existing route expansions or enhancements shall include capital and operating costs for a minimum of three years.</u></p>
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Zone C Standards

- a. Roadway projects to: provide a more interconnected transportation network in the area, provide alternate routes to reduce congestion, and reduce pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. These projects include, but are not limited to the following projects, and may include projects outside the limits of the TCEA that can be demonstrated to be a direct benefit to the transportation system in the area of the TCEA:
1. extension of SW 40th Boulevard to connect from its terminus south of Archer Road to SW 47th Avenue;
 2. extension of SW 47th Avenue to connect from its terminus east and south to Williston Road; and,
 3. in areas where redevelopment occurs: extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity; and,
 4. extension of SW 40th Place from SW 27th Street to SW 47th Avenue.

Developers may deed land for right of way and/or construct roadway extensions to City specifications. Prior to the donation of the right of way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this standard. In the event the parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable to the City for purposes of establishing value, subject to review by the City.

- b. Intersection and/or signalization modifications to improve level of service and safety and address congestion management. This may include, but is not limited to: signal timing studies, fiber optic inter-connection for traffic signals, roundabouts, OPTICOM signal preemption, and/or implementation of elements of the Gainesville Traffic Signalization Master Plan Update. Implementation of the Master Plan includes installation of Intelligent Transportation System (ITS) features such as state of the art traffic signal controllers, dynamic message signs, and traffic monitoring cameras designed to maximize the efficiency of the roadway network by reducing congestion and delay.
- c. Construction of bus shelters built to City specifications.

- d. Bus shelter lighting using solar technology to City specifications.
- e. Construction of bus turn-out facilities to City specifications.
- f. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This may include provision of bicycle parking at bus shelters or transit hubs or deeding of land for the addition and construction of bicycle lanes or trails.
- g. Payments to the Regional Transit System, which either increase service frequency or add additional bus service, including express transit service and bus rapid transit, where appropriate.
- h. Construction of public sidewalks where they are not currently existing or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA standards. The priority for sidewalk construction shall be:
 - 1. along SW 35th Place east from SW 34th Street to SW 23rd Street;
 - 2. along SW 37th Boulevard/SW 39th Boulevard (north side) south from Archer Road to SW 34th Street;
 - 3. along SW 27th Street from SW 35th Place to Williston Road for pedestrian/transit connectivity; and,
 - 4. along the west side of SW 32nd Terrace from SW 35th Place to the terminus of the University Towne Centre sidewalk system (at the property line).
- i. Use of joint driveways or cross-access connections to reduce curb cuts.
- j. Funding of streetscaping/landscaping on public rights-of-way or medians, as coordinated with the implementation of the City's streetscaping plans.
- k. Pedestrian-scale lighting in priority areas including:
 - 1. SW 35th Place;
 - 2. SW 37th/39th Blvd.;
 - 3. SW 23rd Terrace; and,
 - 4. Williston Road.
- l. Business operations that can be proven to have limited or no peak hour roadway impact.
- m. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.

- n. Provision of matching funds for transit or other transportation mobility-related grants.
- o. Participation in a transportation demand management program that provides funding or incentives for transportation modes other than single occupant vehicle. Such demand management programs shall provide annual reports of operations to the City indicating successes in reducing single occupant vehicle trips.
- p. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.
- q. Funding for the construction of a new or expanded bus maintenance facility.

1.1.8 The City establishes the following priority for projects in Zone C and shall work with the Metropolitan Transportation Planning Organization (MTPO) to add these items to the MTPO list of priorities. The City shall also pursue matching grants and other funding sources to complete these projects. For developments east of SW 34th Street in Zone C the priority shall be:

- a. Construction of an off-street pedestrian path on one side of SW 35th Place from SW 34th Street to SW 23rd Terrace.
- b. A roundabout at SW 23rd Terrace and SW 35th Place.
- c. Funding for the construction of a new or expanded bus maintenance/operations facility.

For developments west of SW 34th Street in Zone C the priority shall be:

- a. Construction of a southerly extension of SW 40th Boulevard from its current end south of its intersection with Archer Road to the intersection of SW 47th Avenue. This roadway connection shall include bicycle and pedestrian facilities.
- b. Funding for the construction of a new or expanded bus maintenance/operations facility.

1.1.9 Within Zone D, development or redevelopment shall be required to meet the following development standards, provided at developer expense, based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The developer shall sign an agreement with the City of Gainesville for the provision of these standards. The choice of standards shall be subject to the final approval of the City during the plan approval process. The standards chosen shall relate to the particular transportation conditions and priorities in Zone D or adjacent areas. In recognition of the varying costs

associated with the standards, the City shall have the discretion to count some individual standards, based on cost estimates provided by the developer and verified by the City, as meeting two or more standards.

<u>Net, new average daily trip generation</u>	<u>Number of standards which must be met</u>
<u>Less than 50</u>	<u>At least 1.5 standards</u>
<u>50 to less than 100</u>	<u>At least four standards</u>
<u>100 to 400</u>	<u>At least six standards</u>
<u>400 to 999</u>	<u>At least ten standards</u>
<u>Greater than 1,000 trips but less than 5,000 trips</u>	<u>At least sixteen standards</u>
<u>Greater than 5,000 trips</u>	<u>At least 24 standards and meet a. or b. below:</u> <u>a. Be on existing transit route with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS</u> <u>b. Provide funding for a new transit route or provide funding to improve transit headways to minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS. Funding for new routes shall include capital and operating costs for a minimum of 5 years. Funding for existing route expansions shall include capital and operating costs for three years.</u>

Zone D Standards

a. Roadway projects to: provide a more interconnected transportation network in the area, provide alternate routes to reduce congestion, and reduce pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. These projects include, but are not limited to the following projects, and may include projects outside the limits of the TCEA or Zone D that can be demonstrated to be a direct benefit to the transportation system in the area of the TCEA:

1. extension of SW 40th Boulevard to connect from its terminus south of Archer Road to SW 47th Avenue;
2. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity

Developers may deed land for right of way and/or construct roadway extensions to City specifications. Prior to the donation of the right of way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this standard. In the event the parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable to the City for purposes of establishing value, subject to review by the City.

- b. Construction of bus shelters built to City specifications.
- c. Bus shelter lighting using solar technology to City specifications.
- d. Construction of bus turn-out facilities to City specifications.
- e. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This may include provision of bicycle parking at bus shelters or transit hubs or deeding of land for the addition and construction of bicycle lanes or trails.
- f. Payments to the Regional Transit System, which either increase service frequency or add additional bus service, including Express Transit and Bus Rapid Transit, where appropriate.
- g. Construction of public sidewalks where they are not currently existing or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA standards.
- h. Funding for the construction of a new or expanded bus maintenance/operations main facility.
- i. Business operations that can be proven to have limited or no peak hour roadway impact.
- j. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.
- k. Provision of matching funds for transit or other transportation mobility-related grants.
- l. Construction of Park and Ride facilities built to RTS standards and requirements for the area.
- m. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.

1.1.10 The City establishes the following priority for projects in Zone D and shall work with the MTP0 to add these items to the MTP0 list of priorities. The City shall pursue matching grants and other funding sources to complete these projects.

a. Construction of a southerly extension of SW 40th Boulevard from its current end south of its intersection with Archer Road to the intersection of SW 47th Avenue. This roadway connection shall include bicycle and pedestrian facilities.

b. Funding for the construction of a new or expanded bus maintenance/operations facility.

1.1.11 Within Zone E, development or redevelopment shall be required to meet the following development standards, provided at developer expense, based on the development's (including all phases) trip generation and proportional impact on transportation mobility needs. The developer shall sign an agreement with the City of Gainesville for the provision of these standards. The choice of standards shall be subject to the final approval of the City during the plan approval process. The standards chosen shall relate to the particular transportation conditions and priorities in Zone E or adjacent areas. In recognition of the varying costs associated with the standards, the City shall have the discretion to count some individual standards, based on cost estimates provided by the developer and verified by the City, as meeting two or more standards.

<u>Net, new average daily trip generation</u>	<u>Number of standards which must be met</u>
<u>Less than 50</u>	<u>At least 1.5 standards</u>
<u>50 to less than 100</u>	<u>At least four standards</u>
<u>100 to 400</u>	<u>At least six standards</u>
<u>400 to 999</u>	<u>At least ten standards</u>
<u>Greater than 1,000 trips but less than 5,000 trips</u>	<u>At least sixteen standards</u>
<u>Greater than 5,000 trips</u>	<u>At least 24 standards and meet a. or b. below:</u> <u>a. Be on existing transit route with minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS</u> <u>b. Provide funding for a new transit route or provide funding to improve transit headways to minimum fifteen minute frequencies in the a.m. and p.m. peak hours for RTS. Funding for new routes shall include capital and operating costs for a</u>

	<u>minimum of 5 years. Funding for existing route expansions shall include capital and operating costs for three years.</u>
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Zone E Standards

a. Roadway projects to: provide a more interconnected transportation network in the area, provide alternate routes to reduce congestion, and reduce pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. These projects include, but are not limited to the following projects, and may include projects outside the limits of Zone E or the TCEA that can be demonstrated to be a direct benefit to the transportation system in the area of the TCEA:

1. widening of SR 121 to 4 lanes north of US 441 to CR 231;
2. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity;

Developers may deed land for right of way and/or construct roadway extensions to City specifications. Prior to the donation of the right of way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this standard. In the event the parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable to the City for purposes of establishing value, subject to review by the City.

b. Construction of bus shelters built to City specifications, where transit service is available.

c. Bus shelter lighting using solar technology to City specifications, where transit service is available.

d. Construction of bus turn-out facilities to City specifications, where transit service is available.

e. Construction of bicycle and/or pedestrian facilities/trails to City specifications. This may include provision of bicycle parking at bus shelters or transit hubs or deeding of land for the addition and construction of bicycle lanes or trails.

f. Payments to the Regional Transit System, which either increase service frequency or add additional bus service, including Express Transit and Bus Rapid Transit, where appropriate.

g. Construction of public sidewalks where they are not currently existing or completion of sidewalk connectivity projects. Sidewalk construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA standards.

h. Funding for the construction of a new or expanded bus maintenance/operations main facility.

i. Business operations that can be proven to have limited or no peak hour roadway impact.

j. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.

k. Provision of matching funds for transit or other transportation mobility-related grants.

l. Construction of Park and Ride facilities built to RTS standards and requirements for the area.

m. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.

1.1.12 The City establishes the following priority for projects in Zone E and shall work with the Metropolitan Transportation Planning Organization (MTPO) to add these items to the MTPO list of priorities. The City shall also pursue matching grants and other funding sources to complete these projects.

a. Widening of SR 121 to 4 lanes north of US 441 to CR 231.

b. Funding for the construction of a new or expanded bus maintenance/operations facility.

1.1.13 Within Zone M, development or redevelopment shall be required to meet standards by making a proportionate share payment of the planned costs to fund mobility, including transit, pedestrian, bicycle, and vehicular needs, in the zone. This may include projects outside the limits of Zone M (in adjacent areas) that can be demonstrated to be a direct benefit to the transportation system in the area of Zone M. The proportionate share shall be based on the development's (including all phases) trip generation and proportional impact on transportation mobility facilities. The mobility needs in Zone M shall be identified in the City's 5-Year Schedule of Capital Improvements and the City's Capital Improvements Plan. The developer shall sign an agreement with the City of Gainesville for the provision of mobility needs. It shall be anticipated that the provision of all

mobility needs in Zone M may span a 20 to 30 year time period. The following is a list of mobility needs/projects in Zone M:

a. Roadway projects to: provide a more interconnected transportation network in the area, provide alternate routes to reduce congestion, and reduce pressure on arterials. All roadway projects shall include bicycle and pedestrian facilities. These projects include, but are not limited to the following projects:

1. extension of Hull Road consistent with MTPO Option M;
2. extension of SW 62nd Boulevard to SW Archer Road in accordance with the MTPO design; and,
3. extension of streets, deeding of land, or easements to create a more gridded network and provide connectivity;

Developers may deed land for right of way and/or construct roadway extensions to City specifications. Prior to the donation of the right of way, the developer and the City must agree upon the fair market value of the land for the purposes of meeting this standard. In the event the parties cannot agree as to the value of the land, the developer may submit an appraisal acceptable to the City for purposes of establishing value, subject to review by the City.

b. 8 articulated buses.

c. Funding for the construction of a new or expanded bus maintenance/operations facility.

d. Construction of 4 transit superstops on SW 20th Avenue built to City specifications.

e. A Park and Ride facility with a minimum of 100 spaces, including transfer station and restrooms/information center, built to RTS specifications.

f. Traffic management system equipment for transit vehicles operating in Zone M.

g. Payments to the Regional Transit System for the capital and operating costs associated with Route 62, which includes 2 new buses.

h. Construction of public sidewalks where they are not currently existing or completion of sidewalk connectivity projects. Sidewalk

construction required to meet Land Development Code requirements along property frontages shall not count as meeting TCEA requirements.

i. Business operations that can be proven to have limited or no peak hour roadway impact.

j. Design and/or construction studies/plans for projects such as planned roundabouts, road connections, sidewalk systems, and/or bike trails.

k. Funding for express transit or bus rapid transit, where appropriate.

l. An innovative transportation-related modification or standard submitted by the developer, where acceptable to and approved by the City.

1.1.14 Within the University of Florida (UF) Context Area (as mapped in the Campus Master Plan), all new multi-family residential development outside of Zone M shall fund the capital transit costs associated with transit service needs. Transit capital costs include transit vehicles, maintenance facilities, passenger facilities such as transit shelters, and technology equipment (such as GPS). Payments shall be based on a proportionate share contribution toward the additional transit service enhancements needed to serve the proposed development in the RTS a.m. and p.m. peak hours to maintain existing service levels (frequencies). The projected new trips shall be based on the expected mode split of all development trips that will use transit. If the development is within ¼ mile of UF, there shall be a 25% reduction in the required payment in recognition of the pedestrian trips that may occur. Any transit payments required under this policy shall not count towards meeting TCEA standards in Zones B, C, or D. Within Zone M, the proportionate share calculation for standards shall include the additional costs associated with meeting the Context Area transit funding requirements in this policy.

1.1.915 Redevelopment or expansions of existing developments, which generate fewer than ten net, new average daily trips or two net, new p.m. peak hour trips (based on adjacent street traffic), shall not be required to meet Policies 1.1.4, 1.1.5, 1.1.6, ~~or~~ 1.1.7, 1.1.9, 1.1.11, 1.1.3, or 1.1.14, as relevant to the zone .

1.1.416 Within Zone B, ~~or~~ C, D, E, or M, in order to encourage redevelopment and desirable urban design and form, developments meeting standards such as neo-traditional, new urbanist, transit-oriented development (TOD) or mixed-use development which includes a mix of both residential and non-residential uses at transit oriented densities shall be provided credits, in relation to the multi-modal amenities provided, toward meeting the standards in Policy 1.1.6, ~~or~~ 1.1.7, 1.1.9, 1.1.11, and 1.1.13, as relevant.

- 1.1.417 An existing DRI, approved and built prior to the adoption of the TCEA, may be granted a roadway level of service transportation concurrency exception for redevelopment or expansion if all of the following requirements are met. All other Chapter 380, F.S., DRI requirements, except those concerning transportation concurrency within the TCEA, shall continue to apply.
- a. The DRI is wholly located within the TCEA.
 - b. At least one public transit route serves the DRI and operates at 15 minute frequencies during the peak a.m. and p.m. hours of the adjacent street traffic.
 - c. The DRI allows transit service to enter the site and drop off/pick up passengers as close as possible to main entry points to facilitate transit user comfort and safety. An appropriate number of bus shelters, as determined by the Regional Transit Service (RTS) during development review, shall be located at the site. The DRI shall construct required shelters to RTS specifications.
 - d. The DRI provides a Park and Ride facility at the site, built to RTS specifications and needs.
 - e. Cross-access connections or easements shall be provided to adjacent developments/sites.
 - f. Any other transportation modifications (either on- or off-site), including, but not limited to, signalization, turn lanes, cross walks, bicycle parking, public sidewalks and internal sidewalk connections, and/or traffic calming measures, found to be required during development review shall be provided or paid for by the DRI. The City may require a traffic study to determine the transportation impacts and required transportation modifications depending upon the size of the expansion.
- 1.1.4218 In order to promote highly desirable development within the TCEA, the City or Community Redevelopment Agency may enter into agreements with developers to provide all or part of the transportation needs that are required by policies within this element.
- 1.1.4319 In order to maintain the concurrency management system, the City shall continue to collect trip generation information for developments within the TCEA. For redevelopment sites, the City shall also collect information about trip credits for the previous use of the property.
- 1.1.4420 The City may require special traffic studies, including, but not limited to, information about trip generation, trip distribution, trip credits, and/or signal warrants, within the TCEA to determine the need for transportation

modifications for improved traffic operation and/or safety on impacted road segments.

- 1.1.4521 The next evaluation of the TCEA shall be in conjunction with the City's Evaluation and Appraisal Report as required for the City of Gainesville 2010-2020 Comprehensive Plan.
- 1.1.4622 The City shall amend the Concurrency Management section and any other relevant sections of the Land Development Code to reflect the adoption of the Transportation Concurrency Exception Area.
- 1.1.4723 Developments approved prior to the adoption of the TCEA shall be required to provide any transportation improvements, modifications or mitigation required as part of the development plan approval unless an amendment is made to the development plan and the previously approved improvements, modifications, or mitigation are inconsistent with current design standards or other adopted policies. Amendments to development plans made after the adoption of the TCEA shall be required to meet TCEA policies.
- ~~1.1.18 As properties are annexed into city limits, the City shall not seek expansion of the TCEA west of the I-75 corridor. Alternative solutions to transportation concurrency problems shall be examined for areas west of I-75.~~
- 1.1.24 The following policies concerning the TCEA shall apply to property annexed into city limits:
- a. Properties that involve a large-scale land use amendment shall be placed in a TCEA zone as part of the large-scale amendment process for the property. This shall be done by simultaneous amendments to the appropriate TCEA maps in the Comprehensive Plan.
 - b. Properties that involve a small-scale land use amendment shall be placed in a TCEA zone during the next large-scale amendment cycle. During the interim period after obtaining City land use but prior to placement in a TCEA zone, development on property east of I-75 shall provide for and fund mobility needs by meeting the standards and requirements, as set forth in the Comprehensive Plan, of the most physically proximate TCEA zone. Development on property west of I-75 shall meet the standards and requirements, as set forth in the Comprehensive Plan, for Zone D.

Objective 1.2

The City shall promote multi-modal transportation choice by adopting the following policies that encourage an interconnected street network, encourage redevelopment,

specialy regulate developments with 30 or more acres, and by adopting the Existing and Potential Transit Hubs map as part of the Transportation Mobility Map Series.

Policies

- 1.2.1 The City shall not close or vacate streets except under the following conditions:
- a. the loss of the street will not foreclose reasonably foreseeable future bicycle/pedestrian use;
 - b. the loss of the street will not foreclose non-motorized access to adjacent land uses or transit stops;
 - c. the loss of the street is necessary for the construction of a high density, mixed use project containing both residential and non-residential uses or creating close proximity of residential and non-residential uses;
 - d. there is no reasonably foreseeable need for any type of transportation corridor for the area in the future.
- 1.2.2 The City shall ensure that new streets are designed for transportation choice by setting design standards that call for minimal street widths, modest turning radii, modest design speeds, curb extensions, traffic calming, gridded and connected patterns, sidewalks, bicycle facilities and prohibition of cul de sacs, where feasible.
- 1.2.3 The City shall require new residential developments, where feasible, to provide street or sidewalk/path connections or stub-outs to adjacent properties and developments (such as schools, parks, bus stops, retail and office centers) so that motorized vehicle trips are minimized on major roadways.
- 1.2.4 The City shall adopt the Existing and Potential Transit Hubs map as part of the Transportation Mobility Map Series to increase and enhance multi-modal transportation choices and encourage redevelopment in these areas. As part of the updates to the Future Land Use Element and Transportation Mobility Element, the City shall develop policies that support and promote land use patterns for transit hubs, especially as related to activity centers.
- 1.2.5 In order to encourage the redevelopment of ~~chronically vacant buildings~~ properties within the TCEA, reduce or prevent blight, and encourage development in close proximity to transit, the following redevelopment trip credits shall apply for properties that are located within ¼ mile of the property lines of an existing or potential transit hub (as shown in the Existing & Potential Transit Hubs map adopted in the Transportation Mobility Element) ~~and to reduce or prevent blight, the City shall reduce the number of trips for which Policy 1.1.6 or 1.1.7 standards (as relevant) must be met in these areas by 15 percent for~~

redevelopment or expansion/conversion projects and are within ¼ mile of an existing transit route. A 25% trip credit shall apply to any redevelopment project or project that expands or converts a building to a new use. A 40% trip credit shall apply to mixed use projects that include both a residential and non-residential component. The residential component shall require that a minimum of 10 percent of the floor area of commercial/office uses be in the form of residential dwelling units.

- 1.2.6 In recognition of the significant redevelopment problems facing the City in the NW 13th Street Activity Center area, the City shall designate the NW 13th Street Special Concurrency Redevelopment Credit Area (as shown in the Concurrency Management Element (CME) map series) and provide additional trip credits in this area. The City shall reduce the number of trips for which Policy 1.1.6 standards must be met by ~~20%~~ 30% in this area for redevelopment or expansion/conversion projects. If the redevelopment is a mixed use project involving residential and non-residential components, the reductions shall be ~~30%~~ 45%.

1.2.7 Within the TCEA, developments on 30 or more vacant acres that have a residential, commercial, mixed-use, office, or Planned Use District (PUD) land use designation shall comply with the following in order to facilitate a reduction in vehicle miles traveled and energy efficient land use patterns:

- a. A mix of residential and non-residential uses shall be required such that a minimum of 10 percent of the floor area of commercial/office uses shall be in the form of residential dwelling units.
- b. The residential units may be vertically or horizontally mixed with the non-residential portion of the development.
- c. A residential unit credit may be received from off-site development that is within ¼ mile of the site, is in an area equal to the size of the development site, and has a residential density of at least 6 units per acre.
- d. A minimum of 10,000 square feet of non-residential uses (office or commercial) shall be required to support the needs of residents and minimize trip lengths for goods and/or services.
- e. In the case of residential land use, an amendment to PUD will be required to implement the mixed uses requirements of this policy until such time as the City amends the land use categories to allow for a mix of uses.
- f. The development can be in the form of a Traditional Neighborhood Development (TND), transit-oriented development (TOD), or new Urbanist type development.

g. For infill parcels in Zones A, B or C that are surrounded by an area equal to the size of the development and that area is at least 75% developed with built uses that can provide a mix of residential and non-residential support needs and there are existing adequate and safe sidewalk connections to required non-residential or residential locations within ¼ mile of the development, then there shall be an exemption to the mix of residential and non-residential uses required in a. above.

1.2.8 Upon completion of the Bus Rapid Transit (BRT) study, if a BRT route is found to be feasible, the City shall implement the BRT route by FY 2012 if sufficient funding for capital and operating costs from developers and other sources is available to support the route. In the interim period, the City shall explore express bus service on that route as a precursor to eventual BRT service, if funding is available.

Objective 1.3

The City shall amend the Land Development Code to adopt design standards for all new developments and redevelopment within the TCEA.

Policies

1.3.1 The City shall use the Central Corridors Overlay District design standards in the Land Development Code for development/redevelopment projects within the TCEA. These standards include consideration of building placement, location of parking, sidewalks, building wall articulation, and placement of mechanical equipment and shall be the guiding design standards for development/redevelopment on roadways in the TCEA which are listed in the annual level of service report produced by the North Central Florida Regional Planning Council. Within Zone C, the build-to line may be modified on Archer Road, SW 34th Street, and Williston Road due to right-of-way or utility constraints, consistent with requirements as described in the Special Area Plan for Central Corridors, City Land Development Code. These design standards requirements shall not override design standards adopted as part of a Special Area Plan, Overlay District, or Planned Development.

1.3.2 New development of automotive-oriented uses located within the TCEA, such as retail petroleum sales (gasoline service stations), car washes, automotive repair, and limited automotive services (as defined in the Land Development Code), shall be designed to locate service bays and fueling (gas) pumps to the rear of buildings located on the site. These design standards shall not apply in industrial zoning districts. The number of fueling positions shall be regulated by TCEA policies.

Objective 1.4

Automobile-oriented developments/uses including drive-through facilities, surface parking lots as a principal use, parking garages, car washes, and gasoline service stations shall be regulated as follows within the TCEA.

Policies

- 1.4.1 The City may establish pedestrian-, transit-, and bicycle-oriented areas, through a special area plan overlay zone adopted within the Land Development Code, which prohibit or further regulate automobile-oriented developments/uses beyond the standards set by the TCEA.
- 1.4.2 Special Area Plan overlay district regulations (such as the College Park Special Area Plan and the Traditional City) that prohibit and regulate automobile-oriented developments/uses, as described in Objective 1.4, shall not be modified by provisions or policies of the TCEA.
- 1.4.3 New development of surface parking lots as a principal use shall be required to obtain a Special Use Permit. In addition to the review criteria set in the Land Development Code for Special Use Permits, the approval of the Special Use Permit shall be based on consideration of the size/scale of the proposed surface parking lot and the inclusion of design and access features which maintain pedestrian, bicycle and transit safety and do not discourage pedestrian, bicycle and transit use in the area.
- 1.4.4 Drive-through facilities shall be defined to include banking facilities, payment windows, restaurant, food and or/beverage sales, dry cleaning, express mail services and other services that are extended mechanically or personally to customers who do not exit their vehicles. The following uses shall not be considered drive-throughs: auto fuel pumps and depositories which involve no immediate exchange or dispersal to the customer, such as mail boxes, library book depositories, and recycling facilities.

In addition to the review criteria set in the Land Development Code for Special Use Permits, the following review standards for drive-through facilities shall be included:

- a. maximization of pedestrian and bicycle safety and convenience;
- b. adequate queuing space for vehicles such that there is no back-up of traffic onto adjacent roadways;
- c. provision of a by-pass lane or sufficient driveway area around the drive-through lanes to assist internal vehicular circulation;
- d. minimization of the visual impacts of the drive-through lanes on street frontage areas;

- e. minimization of the total number of drive-through lanes based on site conditions and the operating conditions of the impacted roadway segments;
- f. minimization of the number of access points to roadways;
- g. design of access points and ingress/egress directional flows to minimize impacts on the roadway and non-motorized traffic;
- h. design of internal pedestrian access and safety as related to the position of the drive-through lane(s); and,
- i. meeting any additional design criteria established in the Land Development Code.

1.4.5 Unless otherwise prohibited or regulated by a Special Area Plan, the development of new free-standing drive-through facilities or expansion of or development activity at existing free-standing drive-through facilities, not meeting the provisions of Policy 1.4.6, shall be required to obtain a Special Use Permit. These drive-through facilities shall meet the Special Use Permit criteria shown in the Land Development Code and review criteria shown in Policy 1.4.4. In addition, drive-through facilities not developed under the provisions of Policy 1.4.6 or 1.4.7 shall also meet the following standards:

- a. There shall be a minimum distance of 400 feet between the driveways of sites with free-standing drive-through facilities on roadways operating at 85 percent or more of capacity. Roadway capacity shall be measured using the latest version of Art-Plan or a method deemed acceptable by the Technical Advisory Committee Subcommittee of the Metropolitan Transportation Planning Organization. Available capacity shall include consideration of reserved trips for previously approved developments and the impacts of the proposed development. The 400 foot distance requirement shall not apply if any of the following criteria are met:
 - 1. Joint driveway access or common access is provided between the sites with free-standing drive-through facilities.
 - 2. Cross access is provided with an adjoining property.
 - 3. A public or private road intervenes between the two sites.
 - 4. The development provides a functional design of such high quality that the pedestrian/sidewalk system and on-site/off-site vehicular circulation are not compromised by the drive-through facility. This determination shall be made as part of the Special Use Permit and development plan

review process and shall be based on staff and/or board review and approval.

- b. There shall be no credit for pass-by trips in association with the drive-through facility. Standards which must be met under Policy 1.1.6 shall be based on total trip generation for the use and shall not include any net reduction for pass-by trips.
- 1.4.6 Unless otherwise prohibited or regulated by a Special Area Plan, new development or expansion of free-standing drive-through facilities shall be permitted, by right, only within shopping centers or mixed-use centers. No direct access connections from the street to the drive-through shall be allowed. Access to the drive-through shall be through the shopping center or mixed-use center parking area. Mixed-use centers shall be defined as developments regulated by a unified development plan consisting of three or more acres, having a minimum of 25,000 square feet of gross floor area, and providing centralized motorized vehicle access and a mix of at least three uses which may include residential or non-residential uses in any combination. Mixed-use centers may include Planned Developments which meet the criteria listed in this policy. Development plan approval for the drive-through facility shall be based on the inclusion of appropriate pedestrian, bicycle and transit features which facilitate and encourage convenience, safety, and non-motorized use of the site; design of safe internal pedestrian access as related to the position of the drive-through lane(s); and meeting design criteria established in the Land Development Code. Drive-through facilities meeting the criteria shown in this policy shall also receive an internal capture trip credit and credit for pass-by trips.
- 1.4.7 New development of drive-through facilities shall be permitted, by Special Use Permit, when part of a single, mixed-use building, having more than one business or use at the site, where the minimum square footage of the mixed-use building is 25,000 square feet. Only one drive-through use at such sites shall be allowed. In addition to the review criteria set in the Land Development Code for Special Use Permits, the approval of the Special Use Permit shall be based on the inclusion of pedestrian, bicycle and transit features which facilitate and encourage convenience, safety and non-motorized use of the site; design of safe internal pedestrian access as related to the position of the drive-through lane(s); and meeting design criteria established in the Land Development Code. Drive-through facilities meeting the criteria shown in this policy shall also receive an internal capture trip credit and credit for pass-by trips.
- 1.4.8 On the road segment of NW 13th Street from University Avenue to NW 29th Road, drive-through facilities shall only be located within shopping centers, mixed use centers, or mixed use buildings, as defined in this element. Drive-through facilities on this road segment shall meet the requirements of Policies 1.4.6 and 1.4.7.

1.4.9 Within the TCEA, retail petroleum sales at service stations and/or car washes, either separately, or in combination with the sale of food or with eating places, shall be required to obtain a Special Use Permit. In addition to the review criteria set in the Land Development Code for Special Use Permits, the following review standards shall be included:

- a. Site design shall enhance pedestrian/bicycle access to any retail or restaurant facilities on site. Sidewalk connections or marked pedestrian crosswalks shall be shown on the site plan.
- b. The number and width of driveways shall be minimized.
- c. Except where more stringently regulated by a Special Area Plan or overlay district, the maximum number of fueling positions shall be set as follows:
 1. No limitation on fueling positions in the Industrial zoning categories;
 2. Six fueling positions in the Mixed Use Low land use category or Mixed Use 1 zoning district;
 3. Until adoption, in the Land Development Code, of specific architectural and design standards, six fueling positions in all other zoning categories where gasoline service stations (retail petroleum sales) or food stores with accessory gasoline and alternative fuel pumps are allowed. In the interim period before the adoption of architectural and design standards, additional fueling positions, up to a maximum of twelve, may be allowed as part of a Planned Development rezoning or Special Use Permit process, with the final approval of the City Commission, based on meeting all of the following conditions:
 - a. The size of the site can safely accommodate the additional fueling positions while meeting all required landscaping, buffering, and other Land Development Code requirements;
 - b. Site access and traffic safety conditions on adjacent roadways and intersections are not compromised by the additional trips generated by the additional fueling positions;
 - c. Pedestrian/bicycle safety and comfort in the area are not compromised by the additional trips generated by the additional fueling positions;
 - d. The architectural and site design are of such high quality that they enhance the site area and promote the City's multi-modal and design goals. As part of a Planned Development rezoning or Special Use Permit review process, the developer shall provide a

development plan, elevations and architectural renderings of the proposed site including details such as, but not limited to, façade treatment, colors, lighting, roof detail, signage, landscaping, building location relative to the street, and location of access points.

- e. Cross-access or joint driveway usage is provided to other adjacent developments.
- f. Retail convenience goods sales or a restaurant are included in the development and designed such that pedestrian or bicycle use of the site is encouraged. The retail convenience goods sales or restaurant building and development shall meet all of the following requirements:
 - 1. Building(s) shall be placed close to the public sidewalk for a substantial length of the site's linear frontage;
 - 2. A minimum of 30 percent window area or glazing at pedestrian level (between 3 feet above grade and 8 feet above grade) on all first-floor building sides with street frontage. Windows or glazing shall be at least 80 percent transparent;
 - 3. A pedestrian entry is provided from the public sidewalk on the property frontage; or, near a building corner when the building is on a corner lot;
 - 4. Off-street parking shall be located to the side or rear of the building;
 - 5. The building height and façade elevation are appropriate for the site and surrounding zoned properties.
- 4. Until adoption in the Land Development Code of specific architectural and design standards, ten fueling positions within 1/4 mile of an I-75 interchange. In the interim period before the adoption of architectural and design standards, additional fueling positions, to a maximum of twelve, may be allowed as part of a Planned Development rezoning or Special Use Permit process, with the final approval of the City Commission, based on meeting all of the conditions shown in 3 a-f above.

1.4.10 Within the TCEA, development plans for the placement of new parking garages as a principal or accessory use shall address:

- a. minimizing conflict with pedestrian and bicycle travel routes;
- b. providing parking for residents, employees, or customers in order to reduce the need for on-site surface parking;

- c. being located and designed to discourage vehicle access through residential streets;
- d. designing facilities for compatibility with neighborhoods by including ground floor retail, office, or residential use/development (as appropriate for the zoning district) when located on a public street. The facility shall also have window and facade design that is scaled to relate to the surrounding area.

Objective 1.5

In order to enhance the visual characteristics of roadways and create an appealing environment which supports multi-modal transportation opportunities, the City shall adopt streetscaping and landscaping standards for regulated roadways within the TCEA.

Policies

- 1.5.1 The November 1998 Gateway Corridor Design Concept Plan shall be used as the basis for all landscape plans to be prepared for the right-of-ways and medians of all regulated roadways within the TCEA.
- 1.5.2 The City Arborist shall approve final landscaping proposals required in Policy 1.5.1.
- 1.5.3 The priority for landscaping of roadway right-of-ways and/or medians shall be within Zone A of the TCEA. First priority shall be given to major arterials within Zone A. Funding for the installation of landscape projects within Zone A shall be from the City, Community Redevelopment Agency, state and federal government, and/or grants, as an incentive for development within the area. Maintenance responsibility shall be provided by the City, Community Redevelopment Agency, or grant funds.
- 1.5.4 The City shall include right-of-way and median landscaping as part of any major roadway modification program.
- 1.5.5 New development within Zone B, ~~or~~ C, D, E, or M shall be required to plant minimum 65-gallon-sized trees, 18 feet tall and 3.5 inches in trunk caliper, or their equivalent in winter-dug and hardened-off balled and burlapped trees for the required landscaping along roadways within Zone B as listed in the annual level of service report produced by the North Central Florida Regional Planning Council, selected from the Tree List in the Land Development Code. Within Zones C, D, E, and M the 65-gallon tree landscaping requirement shall apply to all public or private streets. If 65-gallon or equivalent trees are not available, the number of required shade trees can be appropriately increased with the approval of the City Arborist or designee. All new development sites within Zone B and

Zone C shall also be required to install an automated irrigation system to preserve new landscaping. Redevelopment sites shall be required to meet this landscaping policy at a 50 percent rate. Redevelopment sites where 40 percent or more of the developed area (as defined in the Land Development Code) of the site is being altered shall also be required to meet the automated irrigation system requirement. Trees shall be planted on private property within buffer areas or on right-of-way, if approved by the City. Land Development Code regulations shall specify the type, size, and other standards for trees planted to meet TCEA requirements. Developments within areas designated in the Land Development Code as landscape exempt, areas within Special Area Plans with pedestrian-oriented build-to line provisions, area within the approach and clear zone areas as specified on the Gainesville Regional Airport master plan, and developments meeting the criteria for Rapid Review as shown in the Land Development Code shall be excluded from these requirements.

Objective 1.6

The City shall adopt the following policies to regulate parking within the TCEA.

Policies

- 1.6.1 Within the TCEA, parking in excess of the minimum required by the Land Development Code shall not be allowed.
- 1.6.2 Within the TCEA, developments may apply for a parking reduction based on criteria in the Land Development Code.

Objective 1.7

The City shall coordinate with the Metropolitan Transportation Planning Organization (MTPO) to balance the need for and design of roadway modifications with the City's needs for urban redevelopment, infill and quality urban design.

Policies

- 1.7.1 In cooperation with the MTPO, the City shall encourage that all designs for new roadways and redesigns of existing roadways include consideration of features to improve multi-modal transportation, as appropriate. These considerations shall include construction of bus turn-out facilities, bicycle lanes, sidewalks, enhanced pedestrian crosswalks, pedestrian scale lighting, landscaping of medians and right-of-ways, and traffic calming mechanisms.
- 1.7.2 As part of the ongoing coordination with the MTPO and the Florida Department of Transportation, the City shall designate corridors where road widening is not feasible or desirable. These roadway corridors shall then be designated as

“Policy Constrained” or “Physically Constrained” facilities where alternatives to road widening are the primary strategy for roadway congestion.

Objective 1.8

The City shall coordinate on an ongoing basis with Alachua County concerning the TCEA.

Policies

- 1.8.1 For developments generating more than 100 net, new trips within 1/4 mile of a County-maintained road or the unincorporated area, or for any projects within the TCEA that generate more than 1,000 net, new trips, County staff will be forwarded any development plans and associated traffic studies. County staff shall have the opportunity to comment on the proposed development and its impacts on County-maintained roads or State-maintained roads and any standards proposed/required to be met under Policy 1.1.6 or 1.1.7. County staff may raise the trip threshold for review of plans at any time by informing the City of such change, in writing. The City shall require large developments that trip the DRI threshold to address their regional impacts on facilities.
- 1.8.2 The City shall cooperate with Alachua County in the establishment of a joint TCEA for areas bordering the City’s TCEA as long as the policies within the County’s portion of the TCEA are the same or substantially similar to the City’s.
- 1.8.3 After receipt of the annual update of the Level of Service Report produced by the North Central Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of approved development within the TCEA on County-maintained roads and share the information with Alachua County.

Objective 1.9

The City shall coordinate on an ongoing basis with the Florida Department of Transportation (FDOT) concerning the TCEA.

Policies

- 1.9.1 For all developments accessing State roads, FDOT staff shall have the opportunity to comment on the proposed development and its impacts on State roads.
- 1.9.2 After receipt of the annual update of the Level of Service Report produced by the North Central Florida Regional Planning Council, the City shall annually monitor and evaluate the impacts of developments in the TCEA on the Florida Intrastate Highway System and share that information with the Florida Department of Transportation.

Objective 1.10

The City shall continue to enforce transportation concurrency requirements for all developments ~~outside the adopted TCEA~~ not regulated by TCEA policies in this element.

Policies

1.10.1 ~~Outside the TCEA,~~ For development not regulated by the TCEA and under City land use designation, transportation concurrency requirements (for roads and transit) shall be met under any of the following standards:

- a. The necessary facilities and services, at the adopted level of service standard, are in place or under construction at the time a final development order is issued.
- b. The necessary facilities and services to serve the new development, at the adopted level of service standard, are scheduled to be in place or under actual construction not more than three years after issuance of a certificate of occupancy as provided in the City's adopted Five-Year Schedule of Capital Improvements. The Capital Improvements Element must include the following information and/or policies:
 1. The estimated date of commencement of actual construction and the estimated date of project completion.
 2. A provision that a plan amendment is required to eliminate, defer, or delay construction of any road or transit facility or service which is needed to maintain the adopted level of service standard and which is listed in the Five-Year Schedule of Capital Improvements.
- c. The necessary facilities and services to serve the new development, at the adopted level of service standard, are transportation projects included in the first three years of the applicable adopted FDOT five-year work program.
- d. At the time a final development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes, to be in place or under actual construction not more than three years after issuance of a Certificate of Occupancy.
- e. At the time a final development order is issued, the necessary facilities and services are guaranteed in an enforceable development agreement, which guarantee is secured by a completion bond, letter of credit, or other security

acceptable to the City Attorney. The agreement must guarantee that the necessary facilities and services will be in place or under actual construction not more than three years after issuance of a Certificate of Occupancy. The development may meet any of the requirements in Policy 1.10.1 by making a payment and contracting with the City in an enforceable agreement for the provision of the facilities or services.

- 1.10.2 ~~Outside the TCEA, For developments not regulated by the TCEA and under City land use designation,~~ a proposed urban redevelopment project located within the City's existing service area as shown on the Future Land Use Map series, shall be traffic concurrency exempt for roadway level of service standards for up to 110 percent of the transportation impact generated by the previously existing development. A previously existing development shall be defined as the actual previous built use which was occupied and active within the last five years prior to application for development plan review. The transportation concurrency exemptions granted under this policy shall not relieve development from providing public sidewalks along all street frontages, sidewalk connections from the building to the public sidewalk, and closure of existing excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the development site as defined in the Access Management portion of the Land Development Code. Transportation modifications which are required due to traffic safety and/or operating conditions unrelated to transportation concurrency shall be provided by the developer.
- 1.10.3 ~~Outside the TCEA, For developments not regulated by the TCEA and under City land use designation,~~ for the purpose of issuing a final development order, a proposed development shall be defined as having a de minimis impact (as defined by section 163.3180, Florida Statutes), and be exempt from transportation concurrency for roadway level of service standards as follows:
- a. The impact would not affect more than one percent of the maximum service volume at the adopted level of service of the affected roadway segment.
 - b. No impact shall be de minimis if the sum of existing roadway volumes and the projected volumes from approved projects on a roadway segment would exceed 110 percent of the maximum volume at the adopted level of service of the roadway segment.
 - c. A single family dwelling on an existing lot of record (which existed prior to the adoption of the 1991 Comprehensive Plan) shall constitute a de minimis impact on any affected roadway segments regardless of the level of service standard deficiency of the roadway segments.
 - d. Exemptions from transportation concurrency granted under Policy 1.10.3 shall not relieve the development from, where necessary, providing public sidewalks along all street frontages, sidewalk connections from the building

to the public sidewalk, and closure of existing excessive, duplicative or unsafe curb cuts or narrowing of overly wide curb cuts at the development site as defined in the Access Management portion of the Land Development Code. Transportation modifications which are required due to traffic safety and/or operating conditions unrelated to transportation concurrency shall be provided by the developer.

Delete all legal descriptions of the TCEA adopted in the Concurrency Management Element

Future Land Use Element

Objective 4.4

Newly annexed lands shall retain land uses as designated by Alachua County until the Future Land Use Element of this Plan is amended.

- 4.4.1 Land use amendments shall be prepared for all annexed properties within one year of annexation.
- 4.4.2 Alachua County LOS standards shall apply until newly annexed lands are given land use designations in this Plan.
- 4.4.3 Properties that involve a large-scale land use amendment shall be placed in a TCEA zone as part of the large-scale amendment process for the property. This shall be done by simultaneous amendments to the appropriate TCEA maps in the Comprehensive Plan.
- 4.4.4 Properties that involve a small-scale land use amendment shall be placed in a TCEA zone during the next large-scale amendment cycle. During the interim period after obtaining City land use but prior to placement in a TCEA zone, development on property east of I-75 shall provide for and fund mobility needs by meeting the standards and requirements, as set forth in the Comprehensive Plan, of the most physically proximate TCEA zone. Development on property west of I-75 shall meet the standards and requirements, as set forth in the Comprehensive Plan, for Zone D.

Under Objective 3.4, add the following policy:

- 3.4.4 Notwithstanding the state law exemption in dense urban land areas from the state development-of-regional-impact (DRI) review process, large developments that trip the DRI threshold shall be required to address their regional impacts, consistent with City's coordination policies in the Intergovernmental Coordination and Concurrency Management Elements. This may involve mitigation of impacts on adjacent local government or State facilities as determined in the review process.

Transportation Mobility Element

~~7.1.13 Outside the Transportation Concurrency Exception Area, any new development or change of use of an existing building or building complex along a state or county-maintained arterial or collector in the GUATS network which has a median AADT within 85 percent of maximum service volumes allowed at LOS "D" when calculated using Art plan analysis and any City-maintained collector in the GUATS network which has a median AADT within 85 percent of maximum service volumes allowed at "E" when calculated using Art plan analysis shall require the owner to provide transportation improvements that improve transportation choice, if needed, such as parking for bicycles, sidewalk connections from the building(s) to the public sidewalk, completion of public sidewalk from property to existing sidewalks or nearest intersection, and closing of poorly located, overly wide or duplicative curb cuts. New development shall orient buildings to face the primary street when feasible to enhance pedestrian access.~~

Under Objective 3.1 add the following policy:

3.1.6 Upon completion of the Bus Rapid Transit (BRT) study, if a BRT route is found to be feasible, the City shall implement the BRT route by FY 2012 if sufficient funding for capital and operating costs from developers and other sources is available to support the route. In the interim period, the City shall explore express bus service on that route as a precursor to eventual BRT service, if funding is available.

Capital Improvements Element

1.2.6 The City shall adopt the following LOS standards for public facilities within its jurisdiction as indicated in the relevant Elements of its Comprehensive Plan:

Transportation Mobility:	Policies 3.2.3, 7.1.6, 7.1.7, 7.1.8, 7.1.11, 7.1.13
Stormwater:	Policy 1.1.1
Potable Water:	Policy 1.1.1
Wastewater:	Policy 1.1.2
Recreation:	Policy 1.1.1
Solid Waste:	Policy 1.4.1
Concurrency Management:	Policies 1.1.1, 1.1.2, 1.1.3, 1.1.4, 1.1.5, 1.1.6, 1.1.7, 1.1.9, 1.1.10 <u>1.1.11, 1.1.13, 1.1.14, 1.1.15</u>
Public School Facilities	Policy 2.2.1

Add the following transportation mobility projects to the adopted 5-Year Schedule of Capital Improvements

TABLE 14: 5-Year Schedule of Capital Improvements (FY 04/05 09/10 – 08/09 13/14) (in \$1,000s)

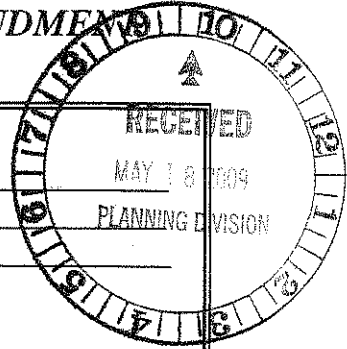
<u>No.</u>	<u>Project Description</u>	<u>Projected Total Cost</u>	<u>Cost to the City</u>	<u>FY1 Schedule</u>	<u>General Location</u>	<u>Revenue Sources</u>	<u>Consistent with Other Elements</u>
	Mass Transit						
<u>1.</u>	<u>2 New buses for Route 62</u>	<u>800</u>	<u>800</u>	<u>2013/2014</u>	<u>Zones B & M</u>	<u>FDOT; Fed. Transit Administration TCEA</u>	<u>Yes</u>
<u>2.</u>	<u>1 New bus for Route 21</u>	<u>365</u>	<u>365</u>	<u>2011/2012</u>	<u>See Map 6</u>	<u>FDOT; Fed. Transit Administration TCEA; & proportionate fair-share funds</u>	<u>Yes</u>
<u>3.</u>	<u>8 Articulated buses</u>	<u>5,600</u>	<u>5,600</u>	<u>2020</u>	<u>Zone B & M</u>	<u>Developer Contributions</u>	
<u>4.</u>	<u>New or expanded bus maintenance and operations facility</u>	<u>50,000</u>	<u>50,000</u>	<u>2015</u>	<u>Not located yet</u>	<u>Developer contributions and city & county funding</u>	<u>Yes</u>
<u>5.</u>	<u>4 transit superstops with turnout facilities</u>	<u>1,000</u>	<u>1,000</u>	<u>No date</u>	<u>Not located yet</u>	<u>Developer contributions & federal funding</u>	<u>Yes</u>
<u>6.</u>	<u>Park and Ride facility in SW area</u>	<u>850</u>	<u>850</u>	<u>No date</u>	<u>Not located yet</u>	<u>Developer contributions</u>	<u>Yes</u>

	Transportation Mobility						
7.	<u>Hull Road Extension</u>	<u>10,600</u>	<u>10,600</u>	<u>2015</u>	<u>Zone M of the TCEA</u>	<u>Developer Contributions</u>	<u>Yes</u>
8.	<u>SW 62nd Blvd. Extension</u>	<u>90,000</u>	<u>90,000</u>	<u>2020</u>	<u>Zone B & M of the TCEA</u>	<u>Developer Contributions and federal funds</u>	<u>Yes</u>
9.	<u>SW 40th Blvd. extension</u>	<u>3,000</u>	<u>3,000</u>	<u>2020</u>	<u>See Map 6</u>	<u>TCEA & Developer Agreement revenues on account</u>	<u>Yes</u>

¹Fiscal year for the City of Gainesville is October 1 through September 30 of the following year.

Source: Public Works Department, 2009.

APPLICATION—CITY PLAN BOARD—TEXT AMENDMENT
Planning & Development Services



OFFICE USE ONLY	
Petition No. <u>P2-09-00067</u>	Fee: \$ _____
1 st Step Mtg Date: _____	EZ Fee: \$ _____
Tax Map No. _____	Receipt No. _____
Account No. 001-670-6710-3401 []	
Account No. 001-670-6710-1124 (Enterprise Zone) []	
Account No. 001-670-6710-1125 (Enterprise Zone Credit) []	

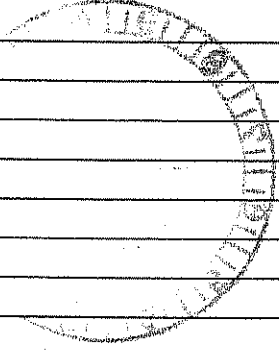
Name of Applicant/Agent (Please print or type)	
Applicant/Agent Name: <u>City Plan Board</u>	
Applicant/Agent Address:	
City:	
State:	Zip:
Applicant/Agent Phone:	Applicant/Agent Fax:

Note: It is recommended that anyone intending to file a petition for a text amendment to Chapter 30 of the City of Gainesville Code of Ordinances (Land Development Code) or to the Comprehensive Plan, meet with the Department of Community Development prior to filing the petition, in order to discuss the proposed amendment and petition process. The request will be evaluated as applicable to the particular zoning district or land use category on a citywide basis.

TEXT AMENDMENT		
Check applicable request below:		
Land Development Code []	Comprehensive Plan Text <input checked="" type="checkbox"/>	Other []
Section/Appendix No.:	Element & Goal, Objective or Policy No.:	Specify:
	<u>Concurrence Management Element</u>	
	<u>Future Land Use Element</u>	
	<u>Transportation Mobility Element</u>	
	<u>Capital Improvements Element</u>	

Proposed text language and/or explanation of reason for request (use additional sheets, if necessary):
Amend the City's Concurrence Management Element, Future Land Use, Transportation Mobility & Capital Improvements Elements to make them consistent with Transportation Concurrence provisions in Senate Bill 360 that amends State Growth Management Laws.

Certified Cashiers Receipt:

No person submitting an application may rely upon any comment concerning a proposed amendment, or any expression of any nature about the proposal made by any participant at the pre-application conference as a representation or implication that the proposal will be ultimately approved or rejected in any form.

CERTIFICATION

The undersigned has read the above application and is familiar with the information submitted herewith.

Signature of applicant/agent: Quelia Kappan

Date: 5/18/09

TL—djw
8/99