

**MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
ST. JOHNS COUNTY, FLORIDA
JUNE 30, 2009
(9:00 A.M.)**

Proceedings of a special meeting of the Board of County Commissioners of St. Johns County, Florida, held in the auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida.

Proof of publication of the notice of a special meeting regarding the Transportation Concurrency Management System was received, having been published in *The St. Augustine Record* on June 25, 2009.

Present were: Cyndi Stevenson, District 1, Chair
 Ron Sanchez, District 2, Vice Chair
 Mark P. Miner, District 3
 Phillip Mays, District 4
 Ken Bryan, District 5
 Michael D. Wanchick, County Administrator
 Patrick McCormack, County Attorney
 Lenora Newsome, Deputy Clerk

(06/30/09 - 1 - 9:03 a.m.)
CALL TO ORDER

Stevenson called the meeting to order.

(06/30/09 - 1 - 9:03 a.m.)
ROLL CALL

Stevenson stated that all five commissioners were present.

(06/30/09 - 1 - 9:03 a.m.)
Sanchez gave the Invocation and Miner led the Pledge of Allegiance.

(06/30/09 - 1 - 9:04 a.m.)
ADDITIONS/DELETIONS TO SPECIAL AGENDA

There were none.

(06/30/09 - 1 - 9:04 a.m.)
APPROVAL OF SPECIAL AGENDA

Motion by Bryan, seconded by Miner, carried 5/0, to approve the Special Agenda as submitted.

(06/30/09 - 1 - 9:04 a.m.)
1. TRANSPORTATION CONCURRENCY MANAGEMENT SYSTEM
 PRESENTATION - THIS ITEM WILL FOCUS ON TRANSPORTATION
 CONCURRENCY AS PART OF THE OVERALL ST. JOHNS COUNTY
 CONCURRENCY MANAGEMENT SYSTEM. THE FOUR PRINCIPLE AREAS
 OF TRANSPORTATION CONCURRENCY PROPOSED FOR DISCUSSION
 ARE: (1) TRAFFIC IMPACT STUDY GUIDELINES CHANGES, (2) CHANGES
 TO THE TIMING OF THE COUNTY'S CONCURRENCY REQUIREMENT, (3)

PROVIDING FOR A PROPORTIONATE FAIR SHARE PAYMENT OPTION, (4) INCORPORATING HISTORICAL TRAFFIC GROWTH WITHIN OUR EXISTING SYSTEM. ADDITIONALLY, A BRIEF DISCUSSION ON THE NEW LEGISLATION SENATE BILL 360 WILL BE PRESENTED TO HELP EXPLAIN HOW WE UNDERSTAND SOME OF THESE CHANGES MAY AFFECT ST. JOHNS COUNTY WITH RESPECT TO TRANSPORTATION CONCURRENCY

Wanchick stated that this was an issue started more than two years ago, prior to him becoming County Administrator. He stated that it was extremely complicated material, and they tried to put together a presentation that illustrated the concepts that they thought should be implemented. He stated that, if the Board was in agreement with the concepts or modified versions of the concepts, then they would move forward with a series of code amendments or ordinances to implement it. He said getting a fair and equitable concurrency management system in place would be consistent with the goals the Commission had set for itself. He said it was probably the one thing they could do, where they controlled the County that would promote economic development more than anything else.

(9:06 a.m.) Stevenson suggested waiting to ask questions until the conclusion of each section.

(9:06 a.m.) Suzanne Konchan, Growth Management Services Director, stated that they were going to flow through a series of technical issues, by starting with the background on the concurrency system. She spoke on adequate capacity, impact fees, and getting directions on modifications. She stated that she was going to walk them through four modules.

She stated the first module was to Modify Traffic Impact Study Guidelines.

- Potential changes
- Increase Traffic Impact Study thresholds
- Reviewed small, minor and major projects
- Traffic Study Radii-Residential (no proposed change)
- Traffic Study Radii-Non Residential (proposed change)

She reviewed the benefits of the study threshold changes.

She mentioned that the second module contained the Current Timing of Concurrency Approval.

- Proposed timing
- Benefits of changing the timing

She stated that the third module mentioned providing a Proportionate Fair Share Payment Option.

- Option A - not available to applicants currently
- Option B - not available to applicants currently
- Option C - available to applicants, where an applicant was required to construct a road improvement equivalent to, or greater than their percentage impact

She reviewed the proposed change to modify "Option C". Bryan asked about the timeline. Konchan replied.

Konchan stated that the last section had to do with modifying the existing transportation concurrency model methodology.

Available road capacity
Existing trips
Committed trips

She spoke on Ghost Trips: committed trips from valid certificates of concurrency plus current phase of DRIs, which result in trip reservations, but not actual traffic.

Current reservations in vehicle miles travel
Historical and projected vehicle miles of travel (VMT)

She reviewed the proposed change to the concurrency model methodology. She recommended allowing the traffic engineering models to release 50 percent of the ghost trips. She reviewed the summary of the proposed modifications to the existing transportation concurrency model methodology. Wanchick stated that when they were talking about 50 percent, they were talking about up to 50 percent, and could possibly do less. He stated that the ghost trips were causing the problem. Stevenson spoke on the northwest side of St. Johns County. Konchan stated, if the Board concurred, the next step would be for them to begin writing the technical code modifications to implement the changes. She stated that they thought the first three sections of the presentation could be implemented fairly rapidly, by the end of the year, in a full cycle with public hearings. She reviewed the next steps; traffic study changes, concurrency certificate issuance, and adding a payment Option "C" into their Fair Share Program. She stated that they should be able to get them implemented and they would have an affect in 2009. She mentioned having Phase II of implementation to take place in the Spring of 2010. She mentioned considering affects of Senate Bill 360 Legislative Changes; Urban Service Area Option- to come up with a plan within two years, possible establishment of Statewide Mobility Fees, and that the Senate Bill had moved the timeline for the Department of Transportation and the Department of Community Affairs to submit the reports to the legislature on a Statewide Mobility Fee Option.

(9:41 a.m.) Bryan asked Konchan, whether during the particular studies of the models, if they were able to predict any particular budgetary impacts that some of the changes they were anticipating might have on the current budgets projected for the next five years for their transportation projects. Konchan responded that they didn't think there would be direct budget implications, and as far as the County budget, they wouldn't anticipate a direct impact by the changes. Wanchick stated that they didn't want to create a situation where the County was liable to build roads where it took funding, but then didn't have the necessary balance. Stevenson said that she thought that there was a mind set at the State level, that they could not put a burden on new development for old development. Miner asked if they released 50 percent of the ghost trips, if they could do that for only commercial projects, or whether that was another situation where they could not make that distinction. Konchan replied that she would have to do some research and ask for guidance from their experts before she could answer that question with confidence, but her understanding was that the model needed to be consistently applied to all projects. Wanchick said that everyone needed to realize, that if they make the changes, it did not create any additional residential uses or square footage than their plan already permitted. Stevenson stated that there were a number of levels of addressing issues presented that had caused problems for small businesses. Konchan said that this would be bringing their transportation concurrency in line with how they looked at school concurrency.

(9:46 a.m.) Isabelle Lopez, 245 Riverside, Jacksonville, stated that most people agreed that the proposed changes were great changes, and she spoke on Option "C".

(9:48 a.m.) John Metcalf, 245 Riverside, Jacksonville, cautioned that in the zeal to eliminate ghost trips, to put projects on a strict time schedule, and take away their concurrency, they should not punish the developments that make very large initial investments. He asked about the growth projection that would be used to release the 50 percent.

(9:50 a.m.) Ellen Whitmer, 1178 Natures Hammock Road South, stated that if she understood it correctly, concurrency would be evaluated at construction instead of at the rezoning. She stated that it took away the entitlement, or the vesting, of the huge developments of regional impacts. She stated that she didn't like the new State law regarding the deminimis impact of one percent. She said that she also had a problem with the one-third regarding concurrency. She stated that this took away the guaranteed concurrency that the big DRIs had out to infinity.

(9:53 a.m.) Karen Taylor, 77 Saragossa Street, spoke on concurrency and stated that the County needed to do the studies, evaluate and determined what areas they needed, and what improvements would be needed in the future. She spoke on the ghost trips still being recognized and factored in. She suggested that it was a difficult workshop format, and would be easier if they could get around a table and talk.

(9:56 a.m.) Stevenson stated that she appreciated the work that went into the presentation with staff, and the input of the different parties from the private sector. Sanchez thanked administration and staff for working very hard on the issue. He said that this might not be the perfect thing, but they knew that they were headed in the right direction. Mays spoke on the Phase II implementation on the modified reservation model, and straightening out the ghost trips by the end of the year.

(9:58 a.m.) Wanchick state that they just needed to do some modeling, and to get it done as soon as they could. Stevenson spoke on investment, entitlement, and DRIs building out. Wanchick pointed out the clarification, up to 50 percent just incase conditions didn't warrant it. He spoke on impact fees, and hitting the right balancing point. Miner thanked staff, and asked about getting a list of projects that were in the same situation as the one Lopez discussed at SR 210 and I-95. Wanchick replied that he would try and get it for them. Stevenson stated that she was hearing no concerns about the first several recommendations, and stated *that she heard consensus for staff to go ahead and address the first level*. She asked about going forward with addressing the timing of concurrency approval and *received consensus*. She asked about addressing the ghost trip issues and *received a consensus about further study to resolve it and come up with a fair resolution*. Wanchick replied that they would move forward with developing the Land Development Code. He stated that when they drafted the documents, they would meet with interested parties in a workshop setting before they brought it to the Commission. Stevenson stated that every Commissioner had a serious concern about safe transportation and an adequate transportation system that allowed people to move goods and services for commerce, and in their private lives. She stated that she wanted clarification on, if the large projects would still be under the kind of review and still have the reasonable discernment there on those items. Wanchick replied that they would be above the thresholds that Konchan identified. He stated that safety was not being compromised in any way. Stevenson spoke on control. Wanchick stated that they were not taking away anyone's vested rights; they didn't have that authority. He stated that they would look at new development, as it came in, to make sure they didn't create another whole new series of ghost trips. But he addressed, they needed to be sensitive too and to work with the developers and property owners as they moved

forward. Stevenson asked if projects would still be able to go forward with one-third concurrency. Wanchick replied that it wouldn't be a requirement, because they would be doing it at the time of the building permit. Stevenson spoke on compatibility issues. Mays asked what the status of the timeline was for the next step. Wanchick replied that for Phase I, they would immediately draft the regulations and take them to the private sector and interested parties for their feedback, and then bring them to the Commission before the end of the year. Konchan stated that their goal would be to try to workshop the actual code language with the interested parties in August and bring the first reading to the Board in September, which should bring adoption approximately in November of 2009. Bryan spoke on the one percent that Ellen Whitmer brought up under public comment. Konchan stated that the staff should actually address it.

(10:11 a.m.) McCormack stated that he wanted the Board to know that this was a workshop and the concepts that were presented that day, were concepts, and that there would be refinements, and there may be additional recommendations.

2. OTHER BUSINESS, AS NECESSARY

(10:12 a.m.) Wanchick asked for clarification on a couple of dates; to move the budget workshop from July 14th to July 9th from 9:00 a.m. to 12:00 noon. He stated that they were trying to schedule the much anticipated TDC follow-up meeting for July 22 at 9 a.m. He stated that they would try to move forward with it.

(10:15 a.m.) Stevenson congratulated Sanchez for getting his advanced Commissioner recognition from Florida Association of Counties. She also congratulated Glenn Hastings, Tourist Development Executive Director, for being elected to Secretary of Visit Florida, the State-wide tourism organization. She thanked everyone who had worked and sacrificed in the civil arena. Bryan mentioned that Dr. Allicock was very successful in getting a \$20,000 grant, to assist with developing a survey to identify health related issues, with an on going initiative with the City, the County, and Flagler College, to identify and work on the project regarding the sewer and drainage system in West Augustine.

Motion by Miner, seconded by Mays, carried 5/0, to adjourn the meeting. With there being no further business to come before the Board, the meeting adjourned at 10:18 a.m.

Approved _____ July 21 _____, 2009

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

By: Cyndi Stevenson
Cyndi Stevenson, Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Wannu King
Deputy Clerk

