

1 ORDINANCE NO. 2014- 19

2
3 AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL
4 SUBDIVISION OF THE STATE OF FLORIDA, AMENDING
5 AND REPEALING PARTS OF ARTICLE XI CONCURRENCY
6 MANAGEMENT AND APPENDIX A TRAFFIC IMPACT
7 STUDY METHODOLOGY AND PROCEDURES OF THE ST.
8 JOHNS COUNTY LAND DEVELOPMENT CODE AS
9 PREVIOUSLY AMENDED; THIS ORDINANCE MAKES
10 CHANGES INCLUDING AND RELATING TO: ARTICLE XI,
11 SPECIFICALLY PART 11.02.00, CONCURRENCY REVIEW
12 SYSTEM; PART 11.03.00, DETERMINATION OF
13 CONCURRENCY; AND PART 11.09.00, PROPORTIONATE
14 FAIR SHARE PROGRAM; AND APPENDIX A, TRAFFIC
15 IMPACT STUDY METHODOLOGY AND PROCEDURES;
16 PROVIDING FOR SEVERABILITY AND PROVIDING FOR
17 AN EFFECTIVE DATE.

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20 NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
21 COMMISSIONERS OF ST. JOHNS COUNTY FLORIDA, that:

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23 Section 1. St. Johns County Ordinance No. 99-51, as previously amended, is
24 hereby amended by deleting Sec. 11.02.01 paragraph H in its entirety and by adding and
25 substituting the following in its stead:

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27 H. Developments of Regional Impact (DRIs): DRIs that have satisfied the
28 transportation concurrency requirements by entering into a binding
29 agreement to pay for or construct its proportionate share of required
30 improvements, provided such proportionate share contribution or
31 construction is sufficient to accomplish one or more mobility
32 improvements that will benefit a regionally significant transportation
33 facility consistent with provisions set forth in Section 163.3180, Florida
34 Statutes, and have been approved by the St. Johns County Board of
35 County Commissioners, are subject to concurrency requirements as a
36 Major Project for all other concurrency public facilities and services. An
37 Application for Concurrency Determination is required to be submitted to
38 the Growth Management Department for review of these public facilities,
39 and a transportation report shall be provided to facilitate the reservation of
40 project trips on the Major Road Network in five (5) year increments or
41 other approved DRI phasing schedule consistent with the DRI
42 transportation review, the DRI Phasing Schedule, and the Traffic Impact
43 Study Methodology and Procedures, Appendix "A" of this Code. The
44 transportation concurrency report shall be updated every two (2) years
45 until build out, consistent with the DRI biennial reporting schedule.

1 Section 2. St. Johns County Ordinance No. 99-51, as previously amended, is
2 hereby amended by deleting Sec.11.03.03 paragraph B in its entirety and by adding and
3 substituting the following in its stead:
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5 B. Developments of Regional Impact (DRIs)
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7 DRIs that have satisfied the transportation concurrency requirements by
8 entering into a binding agreement to pay for or construct its proportionate
9 share of required improvements, provided such proportionate share
10 contribution or construction is sufficient to accomplish one or more
11 mobility improvements that will benefit a regionally significant
12 transportation facility consistent with provisions set forth in Section
13 163.3180, Florida Statutes, shall have concurrency phases consistent with
14 the phasing schedule approved in the DRI Development Order,
15 conditioned upon compliance with all DRI Development Order
16 requirements and conditions related to public facilities and services that
17 are subject to concurrency.
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19 Section 3. St. Johns County Ordinance No. 99-51, as previously amended, is
20 hereby amended by deleting Sec.11.03.06 paragraph A.2 in its entirety and by adding and
21 substituting the following in its stead:
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- 23 2. If at the time the Development Permit is issued, the necessary facilities
24 and services are guaranteed in an enforceable Development Agreement, as
25 presently provided in Section 163.3220, F.S., and as may be provided in
26 future updates to Florida Statutes, or an agreement or Development Order
27 issued pursuant to Chapter 380.06, F.S., to be in place and available to
28 serve the proposed Project at the time of the issuance of a Certificate of
29 Occupancy or its functional equivalent. (Section 163.3180(2), F.S.).
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31 Section 4. St. Johns County Ordinance No. 99-51, as previously amended, is
32 hereby amended by deleting Sec.11.03.06 paragraph B.2.c in its entirety and by adding
33 and substituting the following in its stead:
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- 35 c. At the time the Development Permit is issued, the necessary facilities and
36 services are guaranteed in an enforceable Development Agreement,
37 pursuant to Section 163.3220, F.S., as may be amended from time to time,
38 or an agreement or Development Order issued pursuant to Chapter 380,
39 F.S., to be in place or under actual Construction not more than one (1)
40 year after issuance of a Certificate of Occupancy or its functional
41 equivalent.
42

43 Section 5. St. Johns County Ordinance No. 99-51, as previously amended, is
44 hereby amended by deleting Sec.11.03.06 paragraph C.4 in its entirety and by adding and
45 substituting the following in its stead:
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- 1 4. If at the time a Development Permit is issued, the necessary facilities and
2 services are guaranteed in an enforceable Development Agreement,
3 pursuant to Section 163.3220, F.S., as may be amended from time to time,
4 to be in place or under actual Construction not more than three years after
5 issuance of a Building Permit or its functional equivalent that results in
6 traffic generation; and one of the following criteria is met:
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8 a. The proposed Project is located within a Development Area
9 designated on the Future Land Use Map of the St. Johns County
10 Comprehensive Plan.
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12 b. The proposed Project is located in an area in which a community
13 water system and central wastewater system is presently available
14 to serve, and will serve the proposed Development.
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16 c. A community water system and central wastewater system will be
17 provided to the proposed Development pursuant to a binding
18 written agreement or an enforceable Development Agreement.
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20 Section 6. St. Johns County Ordinance No. 99-51, as previously amended, is
21 hereby amended by deleting Sec.11.03.06 paragraph C.5 in its entirety and by adding and
22 substituting the following in its stead:
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- 24 5. For the purpose of issuing a Development Permit, a proposed urban
25 redevelopment Project located within a defined and mapped Existing
26 Urban Service Area as established in the Comprehensive Plan pursuant to
27 Section 163.3164(29), F.S., shall not be subject to concurrency
28 requirements. for up to 110 percent of the transportation impact generated
29 by the previously existing Development. For the purposes of this
30 provision, a previously existing Development is the actual previous built
31 Use which was occupied and active within a time period established in the
32 Comprehensive Plan. .
33

34 Section 7. St. Johns County Ordinance No. 99-51, as previously amended, is
35 hereby amended by deleting Sec.11.03.06 paragraph C.6.d in its entirety and by adding
36 and substituting the following in its stead:
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- 38 d. The transportation facilities are included in the County's financially
39 feasible Five Year Capital Improvement Schedule or will be added as a
40 result of the adoption and fulfillment of a Proportionate Fair Share
41 Agreement as provided for in Part 11.09.00 of this Article. .
42

43 Section 8. St. Johns County Ordinance No. 99-51, as previously amended, is
44 hereby amended by deleting Sec. 11.09.01 in its entirety and by adding and substituting
45 the following in its stead:
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1 The purpose of this Part is to establish a method whereby the impacts of
2 Development on transportation facilities can be mitigated by the cooperative
3 efforts of the public and private sectors, to be known as the Proportionate Fair
4 Share Program, as required by and in a manner consistent with Chapter 163.3180,
5 F.S.
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7 Section 9. St. Johns County Ordinance No. 99-51, as previously amended, is
8 hereby amended by deleting Sec. 11.09.02 paragraph E in its entirety and by adding and
9 substituting the following in its stead:

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11 E. Is consistent with Chapter 163.3180, F.S. and supports the objectives and
12 policies in the County's Comprehensive Plan.
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14 Section 10. St. Johns County Ordinance No. 99-51, as previously amended, is
15 hereby amended by deleting the first paragraph of Sec. 11.09.03 and by adding and
16 substituting the following in its stead:

17
18 The Proportionate Fair Share Program may apply to all Developments in the
19 County that have been notified of a lack of capacity to satisfy transportation
20 concurrency on a transportation facility in the County's Concurrency
21 Management System, except for Developments of Regional Impact (DRI) using
22 proportionate share under Chapter 163.3180, F.S., and Developments exempted
23 from concurrency as provided in Part 11.08.00, Concurrency Exemptions.
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25 Section 11. St. Johns County Ordinance No. 99-51, as previously amended, is
26 hereby amended by deleting Sec. 11.09.04 paragraph A.3 in its entirety and by adding
27 and substituting the following in its stead:

28
29 3. The proportionate fair share obligation shall be calculated according to the
30 formula established in Chapter 163.3180, F.S. and Section 11.06.06. The
31 County Administrator shall exercise final approval of the improvement to
32 which the fair share payment shall be applied.
33

34 Section 12. St. Johns County Ordinance No. 99-51, as previously amended, is
35 hereby amended by deleting Sec. 11.09.04 paragraph B.2.b in its entirety and by adding
36 and substituting the following in its stead:

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38 b. Be financially feasible pursuant to Chapter 163.3180, F.S., consistent with
39 the Comprehensive Plan and in compliance with the provisions of this
40 ordinance. Financial feasibility for this section means that additional
41 contributions, payments or revenue sources to fund the improvement
42 project(s) are reasonably anticipated during a period not to exceed 10
43 years.
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1 Section 13. St. Johns County Ordinance No. 99-51, as previously amended, is
2 hereby amended by deleting Sec. 11.09.05 paragraph A in its entirety and by adding and
3 substituting the following in its stead:
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- 5 A. Upon notification of a failure to satisfy transportation concurrency,
6 Applicants shall be notified in writing whether they may be eligible to
7 satisfy transportation concurrency through a proportionate fair share
8 contribution. Applicants shall submit to the County an Initial
9 Determination request in writing within 30 days of the receipt of the denial
10 determination indicating their desire to enter into a proportionate fair share
11 agreement and requesting a pre-application meeting. The applicant may
12 proceed to proportionate fair share mitigation bypassing the Initial
13 Determination process after a denial determination is issued, and
14 therefore, waive the right to appeal the denial determination.
15

16 Section 14. St. Johns County Ordinance No. 99-51, as previously amended, is
17 hereby amended by deleting Sec. 11.09.05 paragraph C in its entirety and renumbering
18 paragraph D as appropriate.
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- 20 C. Proportionate Fair Share Agreements shall follow the procedures in
21 Section 3.10 Proportionate Fair Share Agreements of the St. Johns County
22 Development Review Manual.
23

24 Section 15. St. Johns County Ordinance No. 99-51, as previously amended, is
25 hereby amended deleting the first paragraph of Sec. 11.09.06 paragraph C adding and
26 substituting the following in its stead:
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- 28 C. The proportionate fair-share mitigation that is payable by the Applicant
29 shall be determined per segment for each improvement needed to achieve
30 an acceptable level-of-service on facilities for which transportation
31 concurrency was denied and calculated as provided for in 163.3180 F. S.,
32 as follows:
33

34 Section 16. St. Johns County Ordinance No. 99-51, as previously amended, is
35 hereby amended by deleting Sec. 11.09.06 paragraph F in its entirety and by adding and
36 substituting the following in its stead:
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- 38 F. Proportionate Fair Share contributions shall be applied as a credit toward
39 the road impact fees for the development project. Because the
40 proportionate fair share obligation is intended to mitigate the
41 transportation impacts of a proposed development at a specific location,
42 any impact fee credit provided pursuant to this Section shall not be eligible
43 for transfer to any other location.
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45 Section 17. St. Johns County Ordinance No. 99-51, as previously amended, is
46 hereby amended by deleting Sec. 11.09.07 paragraph B in its entirety and by adding and
47 substituting the following in its stead:

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- B. If the proportionate fair share mitigation is in the form of a Monetary Payment or construction of a transportation improvement(s), then payment of the proportionate share contribution is due in full as follows:
1. For proposed Developments that are not consistent with the comprehensive plan and apply for a comprehensive plan amendment, the proportionate fair share Monetary Payment will not be required until the agreement is finalized upon application for a rezoning and a Final Certificate of Concurrency as applicable under sub-section 2 following.
 2. For projects that are consistent with the Comprehensive Plan, the proportionate fair share Monetary Payment shall be due in full or a security instrument committing the financial obligation to construct the required transportation improvement(s) shall be provided to the County no later than the amendment to the County Five-Year Schedule of Capital Improvements or two (2) years from the approval of the Proportionate Fair Share Agreement, whichever comes first. Provided however, prior to construction plan approval for non-residential or final plat approval for residential, a proportionate fair share payment based on the percentage of development proposed on construction plan or final plat is required.

If the proportionate fair share payment is not received as required in this section and/or the approved proportionate fair share agreement, then the Agreement shall be considered null and void, the trips shall be removed from the concurrency management tracking system, and the applicant shall be required to reapply. Proportionate fair share payments shall be nonrefundable and the improvements to be contributed by the applicant as mitigation under the terms of the Agreement shall not be incorporated into the Five-Year Schedule of Capital Improvements in the County's CIE until the payment has been received as required by this section.

Section 18. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Sec. 11.09.09 paragraph B.1 in its entirety and by adding and substituting the following in its stead:

1. The adjacent local government shall have up to ninety (90) days in which to notify the County of a proposed specific proportionate fair-share obligation, and the intended use of the funds when received. The adjacent local government must provide reasonable justification that both the amount of the payment and its intended use comply with the requirements of Section 163.3180, F.S. Should the adjacent local government decline proportionate fair-share mitigation under this section, then the provisions

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of this section would not apply and the applicant would be subject only to the proportionate fair share requirements of the County.

Section 19. St. Johns County Ordinance No. 99-51, as previously amended, is hereby amended by deleting Appendix "A" St. Johns County Traffic Impact Study Methodology and Procedures, its entirety and by adding and substituting Appendix "A", attached hereto as Exhibit 1, and incorporated herein by reference in its stead.

Section 20. Savings Clause. The remaining portions of the St. Johns County Land Development Code, as amended, which are not in conflict with the provisions of this ordinance, shall remain in full force and effect.

Section 21. Severance Clause. It is the intent of the Board of County Commissioners of St. Johns County, and is hereby provided, that if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

Section 22. Effective Date. This Ordinance shall take effect on April 15, 2014 or upon its being filed with the Department of State of Florida, whichever is later.

PASSED AND ENACTED by the Board of County Commissioners of St. Johns County, Florida, this 15th day of April, 2014.

BOARD OF COUNTY COMMISSIONERS
OF ST. JOHNS COUNTY, FLORIDA

BY: [Signature]
John H. Morris, Chairman

ATTEST: Cheryl Strickland, Clerk of Court

By: [Signature]
Deputy Clerk

RENDITION DATE 4/17/2014

Effective Date: 04-22-14

EXHIBIT 1

APPENDIX A
ST. JOHNS COUNTY TRAFFIC IMPACT STUDY
METHODOLOGY AND PROCEDURES

A. Purpose

The purpose of a traffic impact study is to identify the potential impacts of new Development on the St. Johns County transportation system and to provide information which will allow a concurrency determination to be made on each impacted segment. The traffic impact study will identify Development traffic volumes on each impacted segment, identify those segments on which the adopted Level of Service cannot be maintained, include link and intersection analysis, and recommend potential solutions for those segments and intersections on which the adopted Level of Service is not being met.

B. Intent

1. The intent of this document is to define the requirements, procedures and methodology for the submission of a traffic impact study in St. Johns County and to provide an equitable, consistent and systematic means of determining the future impact of proposed Developments while maintaining the adopted service levels on all roadways.
2. Nothing contained in this document shall waive any requirement contained elsewhere in the St. Johns County Land Development Code.

C. Applicability

1. The requirements, procedures and methodology for a traffic impact study contained in this Section shall apply to all Development Orders in unincorporated St. Johns County. In all cases, it will be the responsibility of the Applicant to demonstrate to the County that a proposed Development will not unduly impact the road system.
2. A traffic impact study for a multi-phase project shall be submitted in conjunction with the first application for Concurrency Determination for the project and shall include all future Development phases. The traffic study shall remain valid and in effect for a one (1) year period. Subsequent Development phases seeking a Final Concurrency Determination shall be required to update the traffic impact study with current data if the application for Concurrency Determination for said Development phases is submitted more than one (1) year from the project's original application for Concurrency Determination. All applications for Development phases seeking a Final Concurrency Determination shall be required to submit intersection and segment capacity analyses prescribed under Sections N and O notwithstanding the time limits specified above.

D. Types of Traffic Impact Studies

1. Small Projects

Developments generating 10 or fewer average weekday peak hour trips will be considered to have a negligible impact on the Major Road Network. No further

review of the transportation impacts of Small Projects will be required and a Final Concurrency Determination may be issued subject to other provisions of Article XI of this Code.

2. Minor Traffic Review

- a. Developments generating 11 to 50 average weekday peak hour trips will be subject to a Minor Traffic Review.
- b. The Minor Traffic Review will include: a description and location of the project, land Use category and number of units from the Trip Rate and Percent New Trips Data Table, an estimate of the number of p.m. peak hour trips generated, the number of net new project trip ends that will impact the public road system (e.g. after internal capture and/or adjacent street capture is considered), the existing vested and reserved traffic p.m. peak hour volumes on each Directly Accessed Segment , the Generalized Planning Maximum Service Volume of the Directly Accessed Segment, identification of any improvements to the Directly Accessed Segment and the improvement schedule. If the project does not access a Directly Accessed Segment, then the impact of the project traffic on the first directly Accessed Segment on the Major Road Network at minimum, shall be evaluated relative to its adopted Level of Service. If the project traffic on any study segment as defined above for Minor Traffic Review is less than one percent (1.0%) of the maximum service volume of the adopted Level of Service standard, then the project impact on that segment shall be considered to have a negligible impact and no further review will be required on the subject segment. Based upon this information, a determination shall be made by the County whether or not the road facilities are adequate to maintain adopted service levels upon build-out of the proposed Development. A Certificate of Concurrency may then be issued according to the procedures identified in the Article XI of this Code.
- c. If the information submitted pursuant to Section (4)(b)2. above indicates the Level of Service will fall below the adopted standard, then the Applicant may undertake a more detailed evaluation of future roadway operating conditions to demonstrate acceptable operating conditions, or the Applicant may propose roadway improvements to restore acceptable conditions.
- d. The appeals process for a Minor Traffic Review shall be governed by the procedures set forth in Article XI of this Code.

3. Land Development Traffic Assessment (LDTA)

- a. A Land Development Traffic Assessment shall be required for all Developments generating more than 50 average weekday peak hour trip ends.
- b. Submission of a Land Development Traffic Assessment is required for a Determination of Application Completeness in the Concurrency Review Process.

- c. The Applicant is required to attend a pre-application conference to discuss the traffic study requirements and final report outline as it pertains to the specific Development prior to conduct of the study.
- d. Each Land Development Traffic Assessment must meet the following submission requirements to receive a Determination of Application Completeness.
 - 1) One (1) paper copy and one electronic copy of the completed Land Development Traffic Assessment must be submitted to the County at the time of the submittal of the Concurrency Determination Application.
 - 2) The format of the Land Development Traffic Assessment must follow the outline identified in Section D.3.h, Format of Land Development Traffic Assessment.
 - 3) A Land Development Traffic Assessment must be submitted by an individual with an engineering or planning degree with responsible transportation planning experience and must be a registered professional engineer (PE), a professional transportation planner (PTP) or certified through the American Institute of Certified Planners (CTP), acting as the designated representative of the owner.
- e. The County shall determine if all required data has been submitted and is acceptable. This determination, as well as the determination that additional data is necessary, will be made according to the procedures and time frames identified in Article XI of this Code.
- f. The Appeals process for a Land Development Traffic Assessment shall be governed by the procedures set forth in Article XI of this Code.
- g. Site access for a proposed Development shall be consistent with the requirements identified in the St. Johns County Code. The Applicant is required to provide a site access plan at the pre-application conference. The site access plan is subject to review and approval by the County. This review will be made according to currently accepted traffic engineering principals.
- h. **Format of Land Development Traffic Assessment**

To simplify staff review, each Land Development Traffic Assessment will be required to follow the outline below. Further definition and clarification of the items listed in the outline may be found in subsequent sections. Figures and maps are to be used to the maximum extent possible.

 - 1) Letter of transmittal
 - 2) Title page
 - 3) Table of Contents

- a) List of Figures
 - b) List of Tables
- 4) Introduction (includes description and location of project, current and proposed zoning, both address and map format, size of the project, summary of methodologies agreed to in pre-application conference and statement of approval sought).
 - 5) Area of influence (determination of impacted road segments to be included on study network, based on criteria of Section G.1).
 - 6) Inventory of existing conditions (including listing of all segments within the study area, existing traffic volumes and identification of roadway characteristics).
 - 7) Trip generation estimate (from P.M. Peak Hour Trip Rate and Percent New Trips Data Table, the most recent edition of the Institute of Transportation Engineers *Trip Generation* Manual or other professionally accepted methodology).
 - 8) Percent new trips and internal capture estimates (from P.M. Peak Hour Trip Rate and Percent New Trips Data Table and Section K and Section M)
 - 9) Traffic distribution and assignment methodology.
 - 10) Projected traffic volumes within the study area.
 - 11) Intersection analysis (required when the peak hour traffic volume on one (1) or more links forming a leg of a major intersection is equal to or exceeds ninety percent (90%) of the maximum service volume of the adopted Level of Service standard).
 - 12) Roadway needs (identification of proposed improvements and cost).
 - 13) Internal site circulation and access needs.
 - 14) Appendix (as applicable to the specific traffic impact study)
 - a) Traffic count data
 - b) Trip generation, internal and adjacent street capture worksheets
 - c) Trip distribution and assignment worksheets
 - d) Intersection capacity analysis worksheets using the most recent edition of the Highway Capacity Manual.
 - e) Link capacity analyses

- f) Computerized modeling documentation (if performed)
- g) Other analysis worksheets

E. Pre-Application Conference

1. The purpose of the mandatory pre-application conference for a Land Development Traffic Assessment is to provide guidance and direction to the Applicant concerning the conduct of the study. For a Minor Traffic Review, it is strongly recommended that the Applicant request a pre-application conference to discuss submission requirements.
2. The Applicant shall request a pre-application conference, and shall transmit a general description of the proposed Development and study methodologies to the County at least five (5) working days prior to the meeting.
3. At a minimum, the following topics will be discussed and approval obtained from the County at the pre-application conference.
 - a. The Applicant will provide a site access and internal circulation plan.
 - b. Review the format of a traffic impact study.
 - c. Vested Developments in the vicinity of the proposed Development will be identified and procedures to estimate their associated traffic volumes shall be identified.
 - d. The Major Road Network form will be provided to the Applicant.
 - e. Procedure to track the project's traffic will be defined.
 - f. Availability and use of County data.
 - g. Procedures for traffic counts, the location of current traffic count stations, and the identification of possible additional locations.
 - h. Source of trip generation for project traffic.
 - i. Selection of origin / destination survey sites for determination of percent new trips factor.
 - j. Traffic distribution and assignment technique.
 - k. Justification of an internal capture factor if different than those presented in Section M.2.
 - l. Methodology and approach for intersection analysis.
 - m. Methodology and approach for segment analysis.

4. Failure by the Applicant to discuss and obtain resolution to the above topics may result in disapproval of the traffic impact study or a request for additional information.
5. The methodologies and assumptions agreed upon at the pre-application conference will be valid for a period of ninety (90) days from the date of the pre-application conference. If the Concurrency Determination Application is not submitted to the County within ninety (90) days of the pre-application conference, the Applicant must obtain approval from the County for the continued use of these methodologies and assumptions, or revise the methodologies and assumptions as necessary with updated information.

F. Level of Service Standards

1. The Level of Service standards used for concurrency determination shall be consistent with the Transportation Element of the St. Johns County Comprehensive Plan.
2. When two (2) roads of differing classification or performance standards intersect and an intersection analysis is required, the lower Level of Service performance standard shall govern the intersection.

G. Traffic Impact Area

1. The following procedure will be used to determine the extent of the Traffic Impact Area.
 - a. Peak hour traffic attributable to the Development will be assigned to all segments on the Major Road Network for residential and non-residential developments as follows:
 - 1) Residential – peak hour traffic will be assigned to all segments impacted by Development traffic at a level equal to or greater than one percent (1.0%) of the maximum service volume of the adopted Level of Service standard up to a maximum radius of four (4) miles from the project site boundaries. The four (4) mile radius will be extended to include the next major intersection if an intersection analysis is required under the provisions of Section N.1.
 - 2) Non-residential – peak hour traffic will be assigned to all segments impacted by Development traffic at a level equal to or greater than one percent (1.0%) of the maximum service volume of the adopted Level of Service standard for the Directly Accessed Roadway Segment, and three percent (3.0%) for all other roadway segments in the project study area. The project study area will be determined based on the gross project trips as follows:

Gross Trips	Study Area Radius
51 -150	1 mile
151-300	2 miles
301+	4 miles

The study area radius boundaries referenced in this section may be extended to include the next major intersection if an intersection analysis is required under the provisions of Section N.1.

- b. Additional impacted segments, over and above those required by Section G.1.a, may be added to the study network when, as determined by the County, it would be in the best interest of St. Johns County to do so to maintain the adopted Level of Service standards.
- c. Phased projects will be required to perform a traffic study which analyzes both the impact of the phase(s) seeking a Certificate of Concurrency and the ultimate build out of the entire project. The analysis of the total build out of the project will be performed as part of the concurrency application for the first phase of the project to assess the ultimate transportation needs of the entire project, but shall not be used as a basis for a determination of transportation concurrency or for issuance of a Certificate of Concurrency. The methodology for performing the analysis shall be based on the following:
 - 1) The Study Area of the total build out of the project will be determined by the extent of all impacted segments for the total project, including future phases and phases which have previously received a Certificate of Concurrency or Concurrency Exemption. The phase(s) of the project seeking a Certificate of Concurrency will be evaluated for transportation concurrency based on the Traffic Impact Area using the criteria contained in Section G.1.a above for the phase(s) seeking the Certificate of Concurrency and the cumulative Development within the project for which a Certificate of Concurrency has been issued subsequent to March 4, 1991.
 - 2) Projects that consist of an expansion or an addition to existing Development constructed or permitted prior to March 4, 1991, will be analyzed based upon the cumulative impact of all Development for which a Concurrency Determination has been issued subsequent to March 4, 1991.
- d. When a project's impacts are such that no roadways are impacted at the threshold defined in Section G.1.a., then the impact of the project traffic on the first Directly Accessed Roadway Segment(s) shall be evaluated for ensuring the maintenance of the adopted Level of Service standard on those roadways.
- e. For the purpose of the LDTA project traffic will be assigned only to those roadways and future roadways:
 - 1) Shown on the Major Road Network;
 - 2) Proposed for inclusion as part of the Major Road Network and scheduled for initiation of Construction within the first three (3) years of the FDOT, St. Johns County, or other responsible jurisdiction's financially feasible adopted five (5) year work program, or

3) Scheduled for completion prior to the initial date of project impact on the roadway, if such roadway or improvement is to be completed pursuant to a local government Development Agreement or binding contract and proposed for inclusion as part of the Major Road Network.

f. Where an improvement based on a local government Development Agreement or order is relied upon to achieve the acceptable Levels of Service, default on any such agreement by any party other than St. Johns County, shall be identified as a basis for reconsideration and, if necessary, invalidation of the Development Order and Certificate of Concurrency.

H. County Data

The County shall maintain and update several types of data. These types of data are described below.

1. Traffic Count Data

St. Johns County maintains traffic count data on all segments of the Major Road Network. New traffic counts as well as traffic count data from approved traffic impact analyses will be used to update the traffic counts in the concurrency management database on an annual basis. The Applicant may be required to supplement the traffic count data where needed, such as locations where data is not currently available, or counts conducted on weekends, holidays, or other time periods in which the project's peak trip generation does not coincide with the average weekday peak hour.

2. P.M. Peak Hour Trip Rate and Percent New Trips Data Table

A P.M. Peak Hour Trip Rate and Percent New Trips Data Table shall be available for use in traffic impact studies. This table will be updated periodically with trip rate and percent new trips information from traffic impact studies as approved by the County and from information contained in the most recent edition of the ITE *Trip Generation* Manual or other published studies as approved by the County Administrator.

3. Development Size Data

Development Size Data will be maintained by the County and will provide examples of the maximum size of Development by land Use category for Small Projects, and for those which a Minor Traffic Review is required. The Development Size Data will be provided in the P.M. Peak Hour Trip Rate and Percent New Trips Data Table. Development sizes greater than those indicated by land Use category for a Minor Traffic Review will be required to submit a Land Development Traffic Assessment.

4. Roadway Characteristics Inventory

A Roadway Characteristics Inventory will be maintained on each link in the St. Johns County Comprehensive Plan. The inventory will include the Major Road Network segment identification number, Florida Department of Transportation count station number, roadway name (including street name and state or County road number),

roadway segment termini (from / to), existing roadway area type, roadway functional classification, roadway number of lanes (existing and committed), and existing Right-of-Way. This inventory will be updated with new information on a periodic basis.

5. Transportation Analysis Spreadsheet

A Transportation Analysis Spreadsheet will be maintained for each roadway segment on the Major Road Network. The spreadsheet will include the Major Road Network road segment identification number, Florida Department of Transportation count station number, roadway name (including street name and state or County road number), roadway segment termini (from / to), existing roadway area type, approved road type (functional classification), planning area, adopted LOS standard, segment length in miles, traffic count date (year), Annual Average Daily Traffic count, annual growth factor, link K-factor, peak hour traffic, exempt Development traffic, approved concurrency traffic, total committed peak hour traffic, percent of service volume utilized, link status, traffic study service volume, and approved peak hour service volume. The Transportation Analysis Spreadsheet will be updated with new information periodically.

6. Major Road Network Map

A Major Road Network Map will be maintained by the County that illustrates all roads on the St. Johns County traffic impact study network. This Map will include road improvements scheduled for completion within the first three (3) years of the FDOT, St. Johns County, and local jurisdictions five (5) year capital improvement programs, and those roads scheduled for completion within three (3) years that will be built pursuant to a local government Development Agreement. All future roads added to the map must be approved by the County. Additionally, the map will illustrate those segments that are backlogged and/or constrained as well as those critical transportation segments in which the peak hour traffic volume equals or exceeds ninety percent (90%) of the maximum service volume of the adopted Level of Service standard.

7. Traffic Impact Study File

The County shall maintain a file of approved Minor Traffic Reviews, LDТА's and DRI/FQD reports. The County shall provide information and data, when available, to prevent duplication of efforts and unnecessary costs. The County shall approve the use of a prior study.

I. Procedures for Traffic Counts

1. The Concurrency Management Database will contain an inventory of all current traffic count locations and the most recent daily and peak hour traffic counts.
2. The Applicant may use available traffic count information for all impacted segments from the concurrency management database. If traffic count information is unavailable for the current calendar year on an impacted segment, the Applicant may elect to conduct a current traffic count according to the procedures identified in Section I.3 and I.4. Traffic counts not collected in the current calendar year will be factored by the approved annual growth rate to determine the current year traffic

volume.

3. The Applicant will provide segment traffic counts, by direction, for a minimum of seventy-two (72) consecutive hours between 12:00 p.m. Monday and 12:00 p.m. Friday. Legal holidays or other days as specified by the County shall be excluded. Friday, weekend, or holiday counts may be required for land Uses active on weekends, as determined by the County. The data will include a summary of traffic volumes by direction in fifteen (15) minute increments. The a.m., p.m. and other peak hours should be identified as well as the peak hour-to-daily traffic ratio and peak hour directional split. The average daily traffic counts will be adjusted to Annual Average Daily Traffic (AADT) using appropriate FDOT seasonal adjustment factors and truck axle adjustment factors. The peak hour segment volume will be determined by applying the approved K-factor for that segment to the AADT volume. All data will be subject to review and acceptance by the County.
4. The Applicant will provide intersection turning movement counts as required by the County. These turning movement counts shall be made on one (1) typical weekday (Tuesday, Wednesday or Thursday) from 7:00 a.m. to 9:00 a.m., and 4:00 p.m. to 6:00 p.m., or as otherwise specified by the County. Legal holidays or other days as specified by the County shall be excluded. Friday, weekend, or holiday turning movement counts may be required for Development proposals for land Uses active on weekends, as determined by the County. The data will include a summary of traffic volumes in fifteen (15) minute increments, with a.m., p.m. and other peak hours being identified. All data will be subject to review and acceptance by the County.

J. Trip Generation

1. Each traffic impact study will list all project land Uses, applicable ITE Land Use Code, Building size and/or Dwelling Units.
2. Allowable sources for trip generation rates for each land Use listed in (a) above are identified below:
 - a. The trip generation rate for the specific land Use as identified in the St. Johns County P.M. Peak Hour Trip Rate and Percent New Trips Data Table.
 - b. The trip generation rate from a previously approved St. Johns County traffic impact study of a similar land Use.
 - c. The trip generation rates or equations contained in the most recent version of the ITE *Trip Generation* Manual as approved for use by the County.
 - d. A site specific trip generation study of the same type or similar land Use approved by the County at the pre-application conference. Such a site specific study will be conducted at three (3) separate similar land Use sites. The survey data will be collected for at least a continuous seventy-two (72) hour period between Monday 6:00 p.m. and Friday at 6:00 a.m., or as otherwise determined by the County. Legal holidays or other days specified by the County will be excluded. Selection of other trip generation study times will be made when it is determined by the County that collection of the data

between the above times will not result in a reasonable estimation of the trip generating characteristics of the proposed land Use. The data will include a summary of traffic count data by fifteen (15) minute increments, average daily volume, volume during the a.m. and p.m. peak hours of the adjacent street. The accuracy of the traffic counts will be verified by performing manual counts and comparing them to machine count volumes twice daily; once in the a.m. and once in the p.m. for each day of the traffic counts. All data will be subject to review and acceptance by the County. This review will be based on currently accepted traffic engineering principals.

K. Percent New Trips

1. The percent new trips factor represents the percent by which the trip rate is multiplied to obtain only those new trips that are added to the roadway by the proposed Development. Thus, those trips going to the proposed Development that would have been on the roadway anyway and are included in the trip rate must be deducted from the total trips. The pass-by trip total shall not exceed 10 percent (10%) of background traffic volume on the adjacent roadway.
2. Each traffic impact study will list all land Uses, applicable ITE Land Use Code, Building size and/or number of Dwelling Units.
3. Allowable sources for the percent new trips factor for each land Use identified in 2 above are listed below:
 - a. The percent new trips factor identified in the St. Johns County P.M. Peak Hour Trip Rate and Percent New Trips Data Table.
 - b. Percent new trips factor from a previously approved study of a similar land Use or a published study as approved by the County.
 - c. A site specific origin/destination survey of an identical or similar land Use as approved by the County.
 - 1) The origin/destination survey shall collect, at a minimum, the following information:
 - a) Date
 - b) Location
 - c) Time of Interview
 - d) Time of the interviewee trip
 - e) From where did the interviewee trip begin immediately prior to arriving? (1) home (2) work (3) retail (4) other
 - f) The city, area or zip code where the trip began (the last destination before arriving at the site being studied).

- g) The nearest intersecting streets closest to the location of where the trip began (the last destination before arriving at the site being studied).
 - h) Transportation mode (1) car (2) walk (3) bike (4) bus (5) taxi drop off.
 - i) Where the interviewee trip will end immediately upon leaving (1) home (2) work (3) retail (4) other.
 - j) The city, area or zip code nearest the trip's next destination
 - k) The nearest intersecting streets closest to the trip's next destination.
- 2) The location at each origin and destination will be plotted graphically on a map and the trip lengths calculated. To determine whether the trip is to be considered a new trip, a rectangle will be drawn on the map in such a manner so as to locate the origin of the trip in one (1) corner and the destination of the trip in the opposite corner. If the interview location is outside the rectangle, the trip is considered to be a new trip and if the interview site is inside the rectangle, then the trip is not classified as a new trip. The percent new trips is computed by dividing the number of new trips by the total number of trips generated by the site.
 - 3) Copies of the original surveys and maps indicating trip ends will be submitted as part of the study. All data will be subject to review and acceptance by the County. This review will be based on currently accepted traffic engineering principles.

L. Traffic Distribution and Assignment

- 1. The distribution and assignment of project traffic shall be made in accordance with the following procedures and in conformity with accepted traffic engineering principles, such as those documented in NCHRP Report 187, "Quick-Response Urban Travel Estimation Techniques and Transferable Parameters - Users Guide".
 - a. Use of a gravity model as approved by the County.
 - b. Observations of similar Developments in the vicinity of the proposed Development.
 - c. Traffic distribution may be based upon a previously approved traffic impact study of a similar land Use in the vicinity of the proposed Development. Such use of a prior study must be justified, based upon sound traffic engineering principles and techniques and approved for use by the County.
- 2. The County will make available a summary listing of previously approved traffic impact studies within the Planning Area of the project.

3. The traffic distribution and assignment technique must be presented by the Applicant at the pre-application conference, and reviewed and approved by the County. This review will be based on currently accepted traffic engineering principles.

M. Internal Capture

1. The use of an internal capture factor will be allowed for certain types and sizes of mixed Use Developments.
2. Allowable sources for internal capture rates for each land Use listed in (a) above are identified below:
 - a. The internal capture rate from a previously approved St. Johns County traffic impact study of a similar land Use.
 - b. The internal capture rates or equations contained in the most recent version of the ITE *Trip Generation Handbook* as approved for use by the County.
 - c. A site specific internal capture study of the same type or similar Development approved by the County at the pre-application conference. Such a site specific study will be conducted at three (3) separate similar land Use sites. The survey data will be collected for at least a two consecutive hour period each day for three (3) days between Tuesday at 12:00 p.m. and Thursday at 8:00 p.m., or as otherwise determined by the County. Legal holidays or other days specified by the County will be excluded. Selection of other internal capture study times will be made when it is determined by the County that collection of the data between the above times will not result in a reasonable estimation of the internal capture characteristics of the proposed project. The data will include a summary of internal capture data by fifteen (15) minute increments during the p.m. peak hours of the adjacent street. All data will be subject to review and acceptance by the County. This review will be based on currently accepted traffic engineering principals.
3. Requests for use of internal capture factors other than those identified above must be submitted along with justification at the pre-application conference. All data will be subject to review and acceptance by the County. This review will be based on currently accepted traffic engineering principles.
4. The total internal capture trip ends shall not exceed twenty percent (20%) of the gross project trip ends.

N. Intersection Analysis

1. An intersection analysis must be performed on each major intersection (including signalized intersections, unsignalized intersections and those proposed to be signalized), where the total peak hour traffic volume on one (1) or more links forming a leg of the intersection is projected to equal or exceed ninety percent (90%) of the maximum service volume of the adopted Level of Service standard and is impacted by Development traffic at a level equal to or greater than one percent (1.0%) of the maximum service volume of the adopted Level of Service standard for any phase of the project for which a Final Concurrency Determination is being sought.

2. The procedure for performing an intersection analysis will be based upon the methodology contained in the most recent edition of the Highway Capacity Manual, Transportation Research Board Special Report 209, or other professionally accepted methodology. Any questions, issues or methodology other than that referenced in the above publication must be submitted at the pre-application conference and will be subject to the review and approval from the County.
3. For each intersection at which the total traffic results in a Level of Service below the acceptable adopted Level of Service, the Applicant will recommend improvements to the intersection analysis by including:
 - a. Printouts and worksheets for all highway capacity analysis performed on the intersections or roadway links.
 - b. Copies of any traffic counts performed or used in the analysis, including the source of count data.
 - c. Documentation of any assumptions used in the analysis including trip generation data, if not already specified for the analysis.
 - d. Turning movement volumes and documentation of methodology used to project existing, prior vested and project traffic.
 - e. Any other applicable data or information.

O. Segment Analysis

1. If the peak hour traffic on an impacted segment is projected to exceed the maximum service volume of the adopted Level of Service standard for any phase of the project for which a Final Concurrency Determination is being sought, a transportation analysis may be required to determine if the actual roadway segment operating characteristics are such that additional capacity is available.

The Applicant will submit, in writing, the methodology and approach to be used for each segment analysis prior to conducting the analysis, and will be subject to review and approval by the County. This review will be based on currently accepted traffic engineering principles.

2. A segment capacity analysis may be performed to review signal spacing and timing, as well as signal coordination. Such segment capacity analysis shall be performed in accordance with accepted traffic engineering principles and techniques using such computer software programs as the Highway Capacity Software, or, ART_PLAN, at the discretion of the County.
3. A travel study may be performed to determine the operating speed and corresponding Level of Service at which the roadway is operating. All data and analysis from each travel time study must be submitted as part of the report. The methodology for conducting a travel time study, including the number of sample runs, time periods, and length of the relevant roadway link, must be submitted in writing and receive approval by the County prior to conducting the study.

MINUTES AND RECORDS
500 SAN SEBASTIAN VIEW
SAINT AUGUSTINE FL 32084

Ref.#: L914-14
P.O.#: L914-14

PUBLISHED EVERY MORNING SUNDAY THRU SATURDAY
ST. AUGUSTINE AND ST. JOHNS COUNTY, FLORIDA

STATE OF FLORIDA,
COUNTY OF ST. JOHNS

Before the undersigned authority personally appeared **MEGAN BECKER**

who on oath says that he/she is an Employee of the St. Augustine Record,

a daily newspaper published at St. Augustine in St. Johns County, Florida:

that the attached copy of advertisement being a **NOTICE OF HEARING**

In the matter of **AMEND/REPEAL ART XI - HEARINGS APRIL 3 & 15, 2014**

was published in said newspaper on **03/25/2014**

Affiant further says that the St. Augustine Record is a newspaper published at St. Augustine, in said St. Johns County, Florida, and that the said newspaper heretofore has been continuously published in said St. Johns County, Florida, each day and has been entered as second class mail matter at the post office in the City of St. Augustine, in said St. Johns County, for a period of one year preceding the first publication of the copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing the advertisement for publication in the said newspaper.

Sworn to and subscribed before me this _____ day of _____

by Megan Becker who is personally known to me
or who has produced as identification



(Signature of Notary Public)

(Seal)

NOTICE OF PUBLIC HEARING OF THE ST. JOHNS COUNTY BOARD OF COUNTY COMMISSIONERS TO CONSIDER AMENDING AND REPEALING PARTS OF ARTICLE XI OF THE LAND DEVELOPMENT CODE

NOTICE IS HEREBY GIVEN that a public hearing will be held Thursday, April 3, 2014 at 1:30 pm by the St. Johns County Planning and Zoning Agency and at a regular meeting on Tuesday, April 15, 2014 at 9:00 a.m. by the Board of County Commissioners of St. Johns County, Florida, in the County Auditorium at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, to consider adoption of the following proposed ordinance:

AN ORDINANCE OF ST. JOHNS COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, AMENDING AND REPEALING PARTS OF ARTICLE XI CONCURRENCY MANAGEMENT AND APPENDIX

A TRAFFIC IMPACT STUDY METHODOLOGY AND PROCEDURES OF THE ST. JOHNS COUNTY LAND DEVELOPMENT CODE AS PREVIOUSLY AMENDED; THIS ORDINANCE MAKES CHANGES INCLUDING AND RELATING TO: ARTICLE XI, SPECIFICALLY PART 11.02.00, CONCURRENCY REVIEW SYSTEM; PART 11.03.00, DETERMINATION OF CONCURRENCY; AND PART 11.09.00, PROPORTIONATE FAIR SHARE PROGRAM; AND APPENDIX A, TRAFFIC IMPACT STUDY METHODOLOGY AND PROCEDURES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

The proposed ordinance is on file in the office of the Clerk of the Board of County Commissioners at the County Administration Building, 500 San Sebastian View, St. Augustine, Florida, and may be examined by parties interested prior to the said public hearings. Please take note that the proposed ordinance is subject to revision prior to the hearing or adoption. All parties having any interest in said ordinance will be afforded an opportunity to be heard at the public hearings.

If a person decides to appeal any decision made with respect to any matter considered at the hearings, such person will need a record of the proceedings, and for such purposes he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact the ADA Coordinator at (904) 209-0650 at the St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, Florida 32084. For hearing impaired individuals: Florida Relay Service: 1-800-955-8770, no later than 5 days prior to the date of the meeting.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA
CHERYL STRICKLAND, ITS CLERK
By: Robin L. Platt, Deputy Clerk
L914-14 Mar 25, 2014



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

April 22, 2014

Ms. Cheryl Strickland
Secretary
St. Johns County
500 San Sebastian View
St. Augustine, Florida 32084

Attention: Ms. Yvonne King, Deputy Clerk

Dear Ms. Strickland:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Ordinance No. 2014-19, which was filed in this office on April 22, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/mrh

2014 APR 22 11:11:00
SECRETARY OF STATE