

The article below is from the county where Sen. Bennett is from (remember SB 360 last year?), which is one of the bills C4RG is tracking. It passed out of the Community Affairs Committee, which Sen. Bennett chairs, last week.

This bill will only make matters worse. Sen. Bennett's email information is a click on his name within this article. This bill will NOT attract new business or help us as taxpayers. This bill pushes the burden of paying for new development back again on us. Let Sen. Bennett know we oppose his bill.

Also, there are three fertilizer ordinances now floating about (none heard this week) that would tie the hands of local government with regard to ordinances stronger than a "state model." HB 1445, SB 2348 and SB 2546. I will keep you informed of these as they begin moving through the system.

Finally, this week the House Agriculture and Natural Preservation Committee under the chair of Trudi Williams has created 3 committee bills on water – mostly pertaining to consumptive use permits, water conservation and locals can't enforce wetlands on ag lands. Of course, these bills weaken our protections and do nothing to help the over-pumping that caused our sinkholes. She is one of the representatives that pushed bad bills the last two years trying to take away local government enforcing wetlands on ag lands. These bills were heard this morning (see below for outcomes).

These bills can be found at www.myfloridahouse.gov, then click on "Councils & Committees" at the top, scroll down and click on the Agriculture & Natural Resources Policy Committee. On the right is a menu, click on PCB's. The three are numbered:

PCB ANR 10-08 – can't enforce wetlands on a bona fide farm – this passed the House this morning and will have a bill number for next week

PCB ANR 10-09 – changes consumptive use permitting – temporarily deferred

PCB ANR 10-10 – water conservation bill – temporarily deferred

This session proves to be a wild ride for growth and environmental bills. I thought these guys were going to concentrate on the budget?

Have a nice weekend and I will be back in touch next week.

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Does Manatee County need a Transportation Concurrency Backlog Authority?

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by [Robin Miller](#)

If you've never heard of a Transportation Concurrency Backlog Authority, don't know what kind of an agency it might be, what powers it might have, and how much it might cost, you're not alone. Right now, only [State Sen. Mike Bennett](#) knows for sure, because this new type of county [bureaucracy](#) exists solely in his [Senate Bill 1742](#).

Some of the bill's language is not only benign, but even forward-looking and environmentally favorable. Here's an example:

23 Section 1. Subsection (35) is added to section 163.3164,
24 Florida Statutes, to read:
25 163.3164 Local Government Comprehensive Planning and Land
26 Development Regulation Act; definitions.—As used in this act:
27 (35) “Transit oriented development” means a project or
28 projects in areas that may be served by existing or anticipated
29 transit service and are compact, mixed-use, interconnected, and
30 pedestrian and bicycle friendly communities designed to reduce
31 per capita greenhouse gas emissions and vehicular trips and
32 include the densities, intensities, and amenities needed to
33 support frequent transit service on identified or dedicated
34 transit facilities that enable an individual to live, work,
35 play, and shop in a community without the need to rely solely on
36 a motor vehicle for mobility.

Things get a little stickier in this passage:

118 163.3182 Transportation concurrency backlogs.—
119 (2) CREATION OF TRANSPORTATION CONCURRENCY BACKLOG
120 AUTHORITIES.—
121 (b) A landowner or developer within a transit oriented
122 development of 100 or more cumulative acres or a large-scale
123 development area of 500 cumulative acres or more may request
124 that the local government establish a transportation concurrency
125 backlog area for roadways significantly affected by traffic
126 impacts resulting from the development if those roadways are or
127 will be backlogged as defined by s. 163.3180(12)(b) and (16)(i).
128 The local government shall designate the transportation
129 concurrency backlog area by ordinance if a development order is
130 issued or a comprehensive plan amendment is approved within the
131 development area and the funding provided is sufficient to
132 address one or more transportation mobility improvements
133 necessary to satisfy the additional deficiencies coexisting or
134 anticipated as a result of the new development. The
135 transportation concurrency backlog area shall be used to satisfy
136 all proportionate-share or proportionate fair-share
137 transportation concurrency contributions of the development not
138 otherwise satisfied by impact fees. The local government shall
139 manage the area by acting as a transportation concurrency
140 backlog authority. The applicable provisions of this section
141 shall apply except that the tax increment shall be used to
142 satisfy transportation concurrency requirements not otherwise
143 satisfied by impact fees.

Basically, this part of Sen. Bennett's bill requires a Florida county to set up a Transportation Concurrency Backlog Authority whenever a major development requests one.

It seems that one power such an "authority" would have would be to allow developers to pay for a smaller share of new roads their developments make necessary than they pay under existing law.

Naturally, county government people all over Florida are a little leery of this law, which amounts to yet another [unfunded mandate](#) added to many that have gone before it.

Cragin Mosteller, Communications Director for the [Florida Association of Counties](#), says this is not a situation where counties necessarily regard Bennett as an adversary.

She says, "We are still working closely with the Senator" over this bill. And it is entirely possible that the Transportation Concurrency Backlog Authority requirement may yet be removed from the bill before it is introduced to the full Senate.

The other big issue in S.B. 1742 is something called "[tax increment financing](#)," which essentially means that instead of a county requiring up-front payment from a developer for new roads and other infrastructure improvements to support his or her new development, they'll cover those costs with future property taxes created as a result of the new development.

Naturally, developers love the idea of "tax increment financing," since it would relieve them of some of the costs of paying for services their development would require or, at the very least, pushing their payments into the future.

Do the rest of us love tax increment financing? Or the idea of Transportation Concurrency Backlog Authorities? Should we? Should we dislike them? This is exactly the kind of government minutiae hardly any of us know or care about, but that can cost (or save) us millions in tax dollars, and can also help determine Manatee County's success (or failure) at attracting new businesses.