



# Hillsborough TPO Transportation Planning Organization

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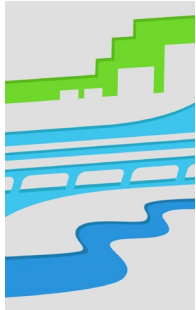
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18<sup>th</sup> Floor  
Tampa, FL, 33602

## **Meeting of the Livable Roadways Committee**

Wednesday, June 21, 2023, 9:00 a.m. – 11:00 a.m.

County Center, 18<sup>th</sup> Floor – Plan Hillsborough Committee Room

All voting members are asked to attend in person, in compliance with Florida's Government in the Sunshine Law. Please RSVP for this meeting. Presenters, audience members, and committee members in exceptional circumstances may participate remotely.

### Remote participation:

- To view presentations and participate on your computer, tablet or smartphone:
- <https://attendee.gotowebinar.com/register/2637816787197952599>
- Register in advance to receive your personalized link, which can be saved to your calendar.
- Dial In Listen Only: 1-562-247-8422 Access Code: 362-778-263
- Presentations, full agenda packet, and supplemental materials [posted here](#), or phone us at 813-756-0371 for a printed copy.
- Please mute yourself after joining the conference to minimize background noise.
- Technical support during the meeting: Jason Krzyzanowski at (813) 836-7327 or [JasonK@plancom.org](mailto:JasonK@plancom.org).

### Rules of engagement:

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## **Agenda**

- I. Call to Order & Introductions**
- II. Roll Call, Declaration of Quorum, Welcome of Other TPO Board Members** (Gail Reese, TPO Staff)
  - A. Vote of Consent for Remote Member Participation – *if applicable*
- III. Public Comment – 3 minutes per speaker, for a maximum of 30 minutes.**

*Public comments are welcome and may be given during this hybrid meeting by logging into the website above and clicking the "raise hand" button. Comments may also be provided before the start of the meeting by e-mail to [silval@plancom.org](mailto:silval@plancom.org). Written comments will be read into the record, if brief, and provided in full to the committee members.*

#### **IV. Approval of Minutes: May 17, 2023**

#### **V. Status Report**

- A. FDOT Kennedy Blvd Projects Update (Kara Van Etten, FDOT)
- B. US 301 (Fowler Avenue to SR 56) PD&E Study (FDOT Rep)
- C. Parking Policy Ideas from “Shoupista” perspective (Karen Kress, Downtown Partnership)
- F. Vision Zero Streets Study (Hillsborough County Roads in City of Tampa)  
Lisa Silva, TPO Staff)

#### **VII. Old Business and New Business**

- A. New Plan Hillsborough Website

#### **VIII. Adjournment**

#### **IX. Addendum**

- A. TPO Meeting Summary and Committee Reports
- B. Summary of Bills that Passed
- C. Tampa Comp. Plan Mobility & Environmental Sections Updates
- D. FDOT Community Conversations Flyer

The full agenda packet is available on the TPO’s website, [www.planhillsborough.org](http://www.planhillsborough.org), or by calling (813) 272-5940.

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Se recomienda a las personas que necesiten servicios de interpretación o adaptaciones por una discapacidad para participar en esta reunión, o ayuda para leer o interpretar los temas de esta agenda, sin costo alguno, que se pongan en contacto con Connor MacDonald, (813) 582-7351 o [macdonaldc@plancom.org](mailto:macdonaldc@plancom.org), tres días hábiles antes de la reunión. Si sólo habla español, por favor llame a la línea de ayuda en español al (813) 272-5940 o (813) 273-3774 ext. 1.

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**HILLSBOROUGH COUNTY  
TRANSPORTATION PLANNING ORGANIZATION  
LIVABLE ROADWAYS COMMITTEE (LRC)  
HYBRID MEETING OF MAY 17, 2023**

**I. Call to Order and Roll Call**

Vice Chair Hey called the meeting to order at 9:05 AM and led the Pledge of Allegiance.

Members Present In-Person: David Hey, Yeneka Mills, Kevin O'Hare, Emily Hinsdale, Danielle Riffenburg, Anna Grundmann, Karen Kress, Rebecca Hessinger, Carlos Ramirez, Oona Johnsen, Arizona Jenkins, Gus Ignas

Members Present Virtually: Jesus Peraza Garcia, Brynn Dauphinais

Members Absent/Excused: Cal Hardie, Jason Jackman, Glorimar Belangia, Catherine Coyle

Other Attendees: Lisa Silva, Jason Kryzanowski, Wade Reynolds, Johnny Wong, Lizzie Ehrreich, Michael Rempfer, Ben Gordon, Gena Torres, Amber Simmons, Gail Reese (TPO Staff); Joel Johnson, Brett Setchell (FDOT); Alex Henry (City of Tampa); Chris Keller (Benesch); Lucas Cruse (Patel Green); Bill Hattaway (Fehr and Peers); Jaidan Smith (Public)

**An in-person quorum was met.**

**A. Vote for Remote Participation** (*Timestamp 0:02:00*)

**Gus Ignas moved to allow remote participation, seconded by Oona Johnsen; the voice vote passes unanimously.**

**II. Public Comment** (3 minutes per speaker) (*Timestamp 0:02:40*) – None

**III. Approval of Minutes** (*Timestamp 0:02:46*) – April 19, 2023.

**Kevin O'Hare moved to approve the minutes of April 19, 2023, seconded by Carlos Ramirez; the motion passed by voice vote.**

**IV. Action Items**

- A. Hillsborough County Bicycle Network Evaluation** (Wade Reynolds, TPO Staff) (*Timestamp 0:03:05*)
- Overview of the plan – collaboration between TPO and County
  - Review of Goal

- Phase 1 – Data Analysis and Prioritization Methodology – Risk Factors, Exposure Factors, Network Factors; used a rating scale of 1 – 5; Scoring and Prioritization
- Phase 2 – Prioritization and Corridor Selection – very high and high were selected
  - Looked for geographic diversity
  - Selected: Waters Avenue, Causeway Boulevard/W Lumsden Rd; Shell Point Road; Balm Riverview Road
- Phase 3 – Concept Development: went over the tiers of improvements from the county
  - Review of the corridors selected in their current state
  - Looked at the proposed concepts
- Next Steps – engineering and design, develop cost estimates, public engagement, identify funding sources

**Recommended Action: Approval of the Hillsborough County Bicycle Network Plan to the TPO Board.**

**Project Website:** [Hillsborough County Bicycle Network Plan](#)

**Discussion:**

It was asked if there has been planning or discussion around the I-75 bridge and what it would look like. Yes, the possibility of a pedestrian bridge or reconfiguring the bridge and adding a pedestrian/bicycle path. It was noted that there are large clusters of apartments. There is a similar situation at Gibsonton and there are considerable distances to the east and west for crossing. Encouraged the use of multi-use paths on these corridors. It was asked how multiuse facilities are going to be possible without having to invest in the right-of-way. It was noted that wider sidewalks may be better options to work within the existing right-of-way. It was brought up that on the three and four-lane roads, removing the bike lanes makes more sense and moves bicyclists to shared-use paths. It was asked about the north/south corridors on US301 and Causeway. There was a suggestion to have the corridors interact with transit areas. Concern was expressed about speeds on the shared use paths with electrified vehicles. It was asked if it makes sense to think about Bike and Transit routes. It was noted that, in Pinellas, the shared lanes (bike/transit) become usable for all. It was noted that Cass Street is a great facility for bicyclist commuters. There was a discussion about whether or not the county is required to provide bike lanes when roads are widened. Lowering speeds on these corridors was talked about. It was asked how this would be used in practical application. These are examples of treatments that could be done and considered for improvement. There was discussion on the examples with trees; there is funding available for roadside trees available.

**Kevin O’Hare moved to approve the Hillsborough County Bicycle Network Plan; seconded by Carlos Ramirez. The motion passed unanimously.**

**B. FY24-28 Transportation Improvement Program Update (Johnny Wong, TPO Staff) (Timestamp 0:51:00)**

- Went over what the TIP is and what is required for adoption
- Review of the tables

- Table 1 – projects that are funded for or are already under construction
- Table 2 – projects seeking funding
- Table 3 – FDOT, local, planning studies, are included for coordination
- Went over the process for developing Table 2
- Review of the updated for the FY24-28 TIP including new projects, ongoing projects, and projects that have been removed.
- Next Steps – reviewing projects, develop recommended funding amounts for each project, FDOT to consider recommendations for the next FY, Regional Coordination will be done
- Milestone – draft has been made available to the public as of May 15, 2023; May-June, committee approval; public notifications; went over presentation schedule

**Recommended Action: Approve the TIP Update for FY2023/24 – 27/28 and approve the TIP Priority List (Table 2) and forward to the TPO Board for consideration.**

**Attachments:**

- [June- 14 TIP Hearing Notice \(English\)](#)
- [Folleto del TIP para Junio 14 Audiencia Pública \(versión en Español\)](#)
- [DRAFT Transportation Improvement Program for FYs 2024-2028](#)
- [DRAFT Table 1: Existing Priorities Funded for Construction](#)
- [DRAFT Table 2: List of Candidates for Funding](#)

**Discussion:**

It was asked if money has been set aside for the TBARTA vanpool and repair program. There was a discussion about funding to fill sidewalk gaps. The TPO is working with FDOT on prioritizing them. There have been several bus stops identified for upgrades to make them ADA-compliant. It was asked why specific roads that have been identified and sent in by the public are not on the list. They are typically addressed by the jurisdiction for resurfacing. Some of them have been placed on local priority lists for improvement. It was requested if the breakdowns of the type of projects are available such as safety. It was asked if the long-term costs of maintenance are considered for the projects. Yes, that is now part of the conversation; if the project is funded, the jurisdiction needs to figure out how to maintain it. It was noted that HART does not own the right of way at bus stops; requested a list be sent to them for the sidewalk gaps.

**Jesus Peraza Garcia moved to approve the TIP update and priority list; seconded by Karen Kress with a friendly amendment to include the percentages of spending per category. The amendment was accepted. The voice vote passed unanimously.**

**V. Status Reports**

- A. **Wildlife Permeability Along I-4** (Joel Johnson and/or Brent Setchell, FDOT) (*Timestamp 1:29:45*)
  - Report submitted looked at wildlife crossings across I-4.
    - In Hillsborough County – I-4 PD&E study was approved in 2019, with 25 miles of widening. Right-of-Way and construction are not funded.
    - In Plant City, there is a point where wildlife prefers to cross that has wildlife reserves on both sides. There is a second west of Plant City.
    - Showed the evaluation of the area around Plant City

- The FLU for this area is shown as agricultural. The Plant City FLU map shows wetlands in the wildlife areas.
- District 7 did a study from I-75 to the Polk County line for wildlife crossing via video capture.
  - No critical linkages along the Hillsborough section of I-4
  - Limited conservation lands on either side
  - Poor habitat on either side
  - US 92 also has a lane barrier
  - Hillsborough County lies in the critical zone
- Conclusions
  - FDOT is actively pursuing improvements for wildlife corridors and that they need to be preserved.
  - Roadways

**Presentation:** [I-4 Wildlife Permeability Presentation](#)

**Discussion:**

It was noted that LRC has provided comments on wildlife crossings to FDOT in the past and how those comments are being implemented into the designs. FDOT requested the previous comments so they can research and address them.

**B. City of Tampa Safe Streets and Roads All Grant Implementation (Alex Henry, City of Tampa)**  
(Timestamp 1:42:05)

- Went over the overview of the Safe Streets for All program – nationwide, \$800 million, Tampa was ahead and had construction projects ready.
- Provided a brief look at the City of Tampa Vision Zero Action Plan
- Looked at the data behind the High Injury Network in the city.
- Reviewed the City of Tampa award - \$20 million; took a public health approach and used an equity lens.
- Looked at the project scopes – quick-build improvements, and safety countermeasures.
  - East Tampa/ Ybor City
  - West Tampa
  - North Tampa
  - Downtown
  - Transit routes
- Next Steps – further developing the projects, take that to the public for input, working to execute the grant agreement (approx. 1 year); a few corridors are being implemented now. Started on quick-build projects right away (Main Street and Avenida Republica de Cuba)

[Tampa – Systemic Applications for Equity \(planhillsborough.org\)](#)

**Discussion:**

Looking at the next round of Safe Streets for All grants due in July; the City of Tampa is being very aggressive in going after funding. The status of a roundabout was asked about. The design is wrapping up and construction funding is within the next two fiscal years; it is separate from these

projects. It was noted that the schools listed in the projects are the ones that were part of the study from 2022; the district is changing their boundaries and that needs to be monitored for those projects.

#### **VI. Old Business & New Business** *(Timestamp: 1:55:21)*

- A. Next meeting is on June 21, 2023
- B. New Plan Hillsborough Website – same address, different feel, new document library for older documents.
- C. Roosevelt Elementary School at the Concordia side has an event on May 16, 2023.

#### **VII. ADJOURNMENT** Meeting adjourned at 11:03 AM

A recording of this meeting can be viewed on YouTube: [Hillsborough County TPO YouTube Channel](#)

#### **Comments Via Chat:**

#### **Billy Hattaway (to Organizers and Panelists Only):**

10:46 AM: Hi Lisa. I sent an email to Beth and Gena.. There was a comment made by Wade(?) that FDOT requires a bike lane even when there is a multi-use path. That is not correct. the 2020 FDM Part 2 223.1 states "Provide a bicycle facility on all roadways on the SHS which has been in place since the 80's. Bike facilities include bike lanes, shared use paths and paved shoulders.

#### **Follow-up Responses:**

Livable Roadways Committee May meeting two follow-up items:

1. **TIP Update Action Item**-Johnny Wong: In response to LRC member's (Karen Kress) question about % of revenue allocated by project types. The information is available the draft TIP on pg9: <https://planhillsborough.org/wp-content/uploads/2023/05/TIP-REPORT-15-May-2023.pdf>. TPO staff will also include that information in the presentation slides for other committees and the board.
2. **HC Bike Network Action Item:** As you can see below, there was a flurry of dialogue in response to the [HC Bike Network](#) presentation public comment submitted virtually by Billy Hattaway (safe systems engineer and past FDOT Sec.) and the County's consultant team, following the committee's nearly hour discussion.

**From Billy Hattaway** Good morning Beth. I was late to attend the meeting today virtually due to my dental appointment. I wanted to weigh in on the presentation concerning the requirement for bike lanes when a multi use trail is also being provided. I did not hear Wade's position but his statement that a bike lane had to be provided when the trail is also provided is not correct. A facility has to be provided, but in fact the recommendation in the FDM is that bike lanes are not ideal when the speeds are greater than 30 mph. As an experienced group leader and road bike rider. I would rather have a 12' travel lane when there are multiple lanes than a 5' bike lane without the buffer. I ride too fast for trails as do most serious riders. I raised my hand before the presentation was over, and the support staff mentioned that I had my hand raised but I was not allowed to speak. That was disappointing. Billy



**From Gena Torres:** I don't have to tell you that there are many schools-of-thought on this topic. I tend to be weary when bike lanes are not included for fear it will lead to them being routinely eliminated in other designs where they are called for. When considering retrofits of most of the HIN streets, there is commonly not enough right of way for a sidepath and these roadways are typically arterials with frequent curb cuts/driveways – the location of a majority of bicycle/car conflicts, especially when cyclists are against the flow. As you know, bike lanes offer additional benefits besides a place for a bicyclists to legally ride: enhanced site visibility, offer additional buffer for pedestrians on the sidewalk (or the only option for pedestrians to walk in some places) can be used to help motorists with right turns, and (unfortunately for cyclists) a place where debris gathers out of the travel lanes. In the quest to lower our fatal and serious injuries, the pedestrians and cyclists being hurt are dependent on walking, biking or transit for their daily travel needs. These are very different cyclists from “serious riders”. They may not leave the comfort of a sidewalk/sidepath even with all of the conflicts but if they do, the least we can do is have a striped and signed space designated for them.

I'm totally up for counter-points. I've really been struggling with not digging my heels in on this topic because there are such good reasons for different designs. I know we're getting there with context classification and complete street designs – maybe I'm tainted by years of fighting for any recognition of non-motorists in street designs.

**From Billy Hattaway** My concern is that he stated that the state requires the bike lane even when there is a multi-use trail. That is not correct and I can point out the language in the FDM. I have included the relevant language below from FDM Part 2. The fact that they are not included when a multi-use trail does not eliminate the state's requirement to provide a facility. That requirement will not go away. The recommendation is to provide a facility based on context and for high volume/high speed roadways, the vast majority of riders will be on the sidewalk and that is why FDOT has moved to recommend side paths when speeds are over 30. I am fully aware that many times there is not room for multi-use trails and I am fully in support of bike lanes when there is no other option. Billy

### **223.1 General**

This chapter provides the minimum criteria to be used for the design of bicycle facilities on the State Highway System (SHS). Provide a bicycle facility on all roadways on the SHS, except where its establishment would be contrary to public safety; e.g., limited access facilities as defined by **FDM 211**.

### **223.2 Bicycle Facilities**

A bicycle facility accommodates bicycle travel. Bicycle facilities play an important role in supporting bicycle travel.

Bicycle facilities include the following:

- Bicycle lanes    · Keyhole lanes    · Intersection Bicycle Box and Two-Stage Bicycle Turn Box
- Paved shoulders    · Shared use paths    · Separated bicycle lanes

### **223.2.1 Bicycle Lanes**

Bicycle lanes can be used on curbed roadways with a design speed  $\leq 45$  mph. However, it is best practice to consider other types of facilities for design speeds greater than 30 mph.

As you will learn about me as I get more engaged in the region, that when it comes to engineers doing the right thing, I will speak out when I know that they are not following guidance in the Department's FDM or standards. I had a quick call with Tiffany Gherke, The Department's Complete Street Program Manager and she verified that there has been no change in direction from the content in the 2020 FDM. Sometimes there are interim changes sent out through memo, so I wanted to be sure I was on solid ground. We added the multi-use trail/sidepaths when I was leading the Complete Streets work, in recognition that bike lanes were being underutilized on high speed/high volume roads and that users such as children should not be in those lanes. There will always be a need for bike lanes, especially in retrofitting corridors, so there is no need to put bike lanes on that corridor. Was that an FDOT project? I was late to the call as I had a dentist appointment this morning.

**From Wade Reynolds** Thank you for the clarification. While I was presenting a project on County roads, I really appreciate the Department's changes in this regard.

**From Paula Flores (GPI)** Lisa – Thank you for sharing the comment. On behalf of the design team, no bike lane was recommended in addition to the shared use path for the referenced corridor. The detailed concept plans show no bike lane and in fact show bump outs at several key intersections to minimize crossing distances and provide for improved transit stop access. The label was an error and it should be corrected for future presentations. The team watching the prez noted it and it should be corrected. Interesting to note how one detail took away from the significant effort put into the development of the prioritization process that was the focus of the plan.

**From Lucas Cruse (Patel Green)** Billy, thanks for the astute observation and comment. Paula, thanks for pointing out that the design concept in fact does not include bike lanes on that corridor.

Taking that important idea a bit farther, I would point out some content at the very end of the conceptual design report for that corridor. We identified some considerations for intersecting corridors which similarly suggest reevaluating the use of on-street bike lanes in that context. I have screenshot that short appendix content below.

<u>Adjacent &amp; Supplemental Projects</u>		<u>Implementation Notes</u>
A	S. Falkenburg Rd, Providence Rd, S GorntoLakes Rd, Provident Lakes Blvd - Convert Bike Lane to Buffered/Protected Bike lanes	Coincident with those changes, remove the keyhole bike lanes from Lumsden where the bike lanes are not anticipated to continue to each side of the intersections.
B	Identify additional speed management and traffic calming treatments throughout the corridor to facilitate the desired Target Speed of 35 MPH	Corridor signal timing coordination to approach desired speeds. Remove accel/decel tapers along roadway edge to moderate speeds.
C	Encourage and fund installation of bicycle racks at major commercial, civic or service destinations within the corridor	N/A
D	Providence Rd - remove bike lanes and move curbs in, re-using the gained ROW width for sidepaths and trees	North of Lumsden - reconfigure Samuel Rd. intersection. Remove right turn lanes on east side.
E	Regency Lake Dr and similar locations - narrow pavement to have same number of lanes entering and leaving	Add right turn lanes downstream of intersection, rather than within the intersections.

DRAFT



# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

FDOT Kennedy Blvd Projects Update

### **Presenter:**

Kara Van Etten, PE, FDOT Staff

### **Summary:**

For years the Livable Roadways Committee has provided review and comment on Kennedy Boulevard (Blvd.) projects. FDOT staff will present an overview on three safety/access management/wrong way driving and aesthetics projects being implemented along Kennedy Blvd.:

1. 437644-1: Kennedy Blvd. from West Shore Blvd. to Woodlynne Ave. Safety Enhancement & Pedestrian Improvement Project. Construction Complete.
2. 447975-1: Kennedy Blvd. from Hoover Blvd. to Church Ave. Resurfacing project with safety improvements. Construction is anticipated to begin early 2024.
3. Landscape project: Kennedy Blvd. from West Shore Blvd. to Woodlynne Ave. Corridor beautification. Construction is anticipated to begin in late 2024.

### **Recommended Action:**

None. For information only.

### **Prepared By:**

Lisa K. Silva, AICP, PLA, TPO Staff

### **Attachments:**

[Presentation slides](#)



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# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

US 301 (Fowler Avenue to SR 56) PD&E Study

### **Presenter:**

FDOT Staff

### **Summary:**

The Florida Department of Transportation (FDOT) is undertaking a Project Development and Environment (PD&E) study to consider roadway improvements along US 301 in Hillsborough and Pasco Counties. The project begins at Fowler Avenue and extends north to the State Road (SR) 56 intersection with US 301, a distance of 13.1 miles. The PD&E study involves developing roadway alternatives that widen US 301 from two to four lanes. The project team will evaluate the engineering, social and environmental effects of widening the road and compare the effects for each alternative.

US 301 is a major north-south roadway used for travel through Hillsborough and Pasco counties and provides access to many of the area's major roadways including I-4, SR 39, SR 54 and SR 52. It is an important roadway in the overall Tampa Bay area as it is listed as an emergency evacuation route.

### **Recommended Action:**

None. For information only.

### **Prepared By:**

Wade Reynolds, TPO Staff

### **Attachments:**

#### **[Project Webpage](#)**

Letter of Comments from TPO to FDOT



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April 13, 2022

Amber Russo, P.E.  
FDOT District 7  
11201 N. McKinley Drive  
Tampa, FL 33612-6403

RE: Project Development and Environmental Study for US 301 from Fowler Avenue to SR 56 – Project # 255796-1

Dear Ms. Russo,

The TPO Board and Committees received a presentation on the referenced study. The following concerns have been raised:

- This road widening is mostly outside of the Urban Service Boundary set forth in the adopted Hillsborough County Comprehensive Plan. The surrounding rural community has no plans for increased density, and widening will put undue development pressure on the area. Currently the Urban Service Boundary is close to Fowler Ave at Tom Folsom Road.
- The project is not cost-feasible in the Long Range Transportation Plan, nor has it been part of the Plan's needs assessment since the adoption of the 2040 Plan in 2014, when it was listed as a potential need outside of/beyond the 2040 horizon year. The project was removed from the needs assessment for 2040 because the Tampa Bay Regional Planning Model forecast showed that 2040's traffic congestion, while not nonexistent, will not rise to the level of severity of many other arterials in Hillsborough County.
- This PD&E study points to traffic congestion on US 301 being focused at the bookends of the corridor, Fowler Ave in Hillsborough County and SR 56 in Pasco County. We suggest focusing traffic operational improvements at the bookends, rather than widening the entire length of this road, which is both expensive and impactful on significant environmental areas.
- There are higher priorities in the long range plan, such as widening US 92 in the Sabal Park area where it is within the urban service boundary and alleviates I-4; and safety improvements on the high injury network (HIN). Seventy-eight percent of the Top 50 HIN corridor miles in Hillsborough County are state roadways.
- Though this segment of US 301 is part of the HIN, the proposed project will not necessarily alleviate the safety problems. The PD&E study shows design speeds



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of 60-65mph with no lighting improvements, both of which may lead to more severe injury and fatal crashes. The proposed wide median could reduce centerline cross-over crashes, but those could also be mitigated with a more modest center barrier in problem locations. Clusters of severe and fatal crashes currently exist in the vicinity of Harney Rd, Stacy Rd, and McIntosh Rd. We suggest safety-focused treatments in these areas, including consideration of intersection controls such as traffic signals or roundabouts. Further, to reduce deaths and injuries, speed management strategies should be considered throughout.

- There are important wetlands and preserves on either side, including primary sources of drinking water for the metro area; channelization of surface water flow between these preserves may have an impact on water quality. Further, this corridor intersects with a designated wildlife corridor. [See attached FDOT guidelines for wildlife corridors.](#)
- There are potential conflicts with access to existing and planned trails, like the extensions of Old Fort King Trail and crossing conflicts at John B Sargeant Sr. Park.

We appreciate the Department allowing us to review this PD&E study. We trust our comments will be addressed in the final report and will inform a decision to not pursue widening of US 301 at this time. In closing, we suggest operational improvements to address traffic congestion at the bookends of the corridor, and safety improvements along the length in between, with special attention to safety at the Harney, Stacy, and McIntosh intersections.

Sincerely,

Beth Alden, AICP  
Executive Director

cc: Suzanne Monk, FDOT District 7 Liaison



# Hillsborough TPO

## Transportation Planning Organization

### Board & Committee Agenda Item

**Agenda Item:**

Parking Policy Ideas from a "Shoupista" perspective

**Presenter:**

Karen Kress, Tampa's Downtown Partnership

**Summary:**

In his book, The High Cost of Free Parking, Donald Shoup argues that free parking has contributed to auto dependence, rapid urban sprawl, extravagant energy use, and a host of other problems.

Fans of Donald Shoup and his book are referred to as "Shoupistas." In this presentation by Shoupista Karen Kress, she will share many of the author's free parking policy insights and update the committee on his preferred parking policy concepts and how they might apply to Tampa's downtown. You'll never look at a parking spot the same way again.

**Recommended Action:**

None. For information only.

**Prepared By:**

Lisa K. Silva, AICP, PLA, TPO Staff

**Attachments:**

None



**Plan Hillsborough**  
[planhillsborough.org](http://planhillsborough.org)  
[planner@plancom.org](mailto:planner@plancom.org)  
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Tampa, FL, 33602





# Hillsborough TPO Transportation Planning Organization

## Board & Committee Agenda Item

### **Agenda Item:**

Vision Zero Streets Study (Hillsborough County Roads in City of Tampa)

### **Presenter:**

Lisa Silva, TPO Staff

### **Summary:**

The Vision Zero Streets Study is to develop Vision Zero and Speed Management solutions intended to increase safety for two streets that are county owned and maintained in City of Tampa limits.

The recommendations developed as part of this study will improve safety for all modes of transportation by 1) identifying historical crash patterns along the corridor, 2) distinguishing the risk factors that contribute to these types of collisions, 3) developing solutions that mitigate the identified crash patterns, and 4) applying best practices to reduce risks associated with severe crashes in urban areas. Consistent with the principles of Vision Zero, the focus will be on addressing crashes where a person was Killed or Severely Injured (KSI) and crashes involving pedestrians and people on bikes.

The study will develop recommendations for using Hillsborough County's 3 Tier system. The Tier 1 (aka "quick build") solutions are intended to increase safety in the short term, until more mid-term and long-term safety (Tier 2 and 3) solutions can be funded. The permanent safety (Tier 3) recommendations will inform the recommendations proposed in the short term.

### **Recommended Action:**

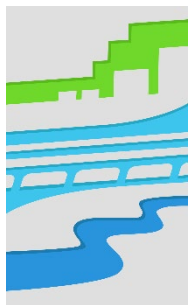
None. For information only.

### **Prepared By:**

Lisa K. Silva, AICP, PLA, TPO Staff

### **Attachments:**

None



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**HILLSBOROUGH TRANSPORTATION PLANNING ORGANIZATION BOARD  
HYBRID MEETING MAY 10, 2023  
DRAFT MINUTES**

**I. Call to Order, Pledge of Allegiance\_***(Timestamp 0:05:38)*

Chair Myers called the meeting to order at 9:00 AM and led the pledge of allegiance. The meeting was held in person and virtually via WebEx.

**II. Roll Call\_** (Gail Reese, TPO Staff) *(Timestamp 0:00:00)*

The following members were present in person: Commissioner Gwen Myers, Councilmember Gil Schisler, Commissioner Michael Owen, Commissioner Joshua Wostal, Commissioner Harry Cohen, Councilmember Alan Clendenin, Councilmember Guido Maniscalco, Mayor Nate Kilton, Charles Klug, Bob Frey, Scott Drainville, Steven Bernstein

The following members were present virtually: School Board Member Jessica Vaughn, Joe Lopano

The following members were absent/excused: Commissioner Pat Kemp

A quorum was met in person.

**A. Vote of Consent for Remote Member Participation.**

**Councilmember Maniscalco moved to allow remote participation, seconded by Councilmember Schisler; the voice vote passed unanimously.**

**III. Recognition of Councilmember Citro for TPO Board Service** (Beth Alden, Executive Director) *(Timestamp 0:08:15)*

- Mr. Citro said a few words and expressed thoughts for the TPO Board going forward.

**IV. Approval of Minutes\_** *(Timestamp 0:11:14)* – April 12, 2023.

**Chair Myers sought a motion to approve the April 12, 2023 minutes. Councilmember Maniscalco so moved, seconded by Commissioner Cohen; the voice vote passed unanimously.**

**V. Public Comment on Agenda Items** *(Timestamp 0:11:28)* (30 minutes total, with up to 3 minutes per speaker) Additional comments made via [Social Media](#) and [Email](#) can be found at the end of these minutes.

- **Rick Fernandez** – Comments related to the Merger MOU and TPO Executive Director Search. Noted that there has been a lack of transparency on these topics. The CAC has been left out of both of these items. The suggestion that a CAC member be appointed to the interview committee has not been acted on. The TPO/MPO Merger MOU has not come before the CAC. Referenced email comments submitted. Stands in opposition to the merger, Article 2,

Paragraph A is alarming. The language intends to investigate to reach a goal. The public needs to be involved in this process.

- **Chris Vela** – Opposes the merger. There is already a regional board with the Regional Planning Council. The Planning Commission has an interlocal board for planning along the river. The county doesn't need a regional board to make decisions, it is not required by law. The SCTPA is already a regional board recognized by the state. If the merged MPO is created, it is a big government and Hillsborough County taxpayers will be funding regional projects. Noted the expansion in Orlando and the contractors that go to offshore banks to fund projects against taxpayer money. Toll lane projects do not break even until much later in time. TBART and TBARTA have both voted to dissolve themselves. A regional board is not necessary to get into interlocal agreements for regional projects.
- **Mike Drapak** – Recent transplant to Hillsborough County. Chose Hillsborough County because of the meticulous planning that distinguishes it from neighboring counties. Came from Chicago and Tampa was the best fit. Encouraged the TPO Board to stand against the merger. The state legislature's move to control the prioritization of major roads over local projects could have a major impact. Local decision-making power will go to a board made up of elected officials from other counties. There is a sparse precedent of de-designating an MPO. This should be a red flag. The speaker brought up several questions about the report directed to be written and submitted. It was noted that this is a fiscal burden after a local referendum has already been defeated.

**VI. Committee Reports & Advance Comments** (Rick Fernandez, CAC Chair and Gena Torres, TPO Staff) *(Timestamp 0:22:33)*

**A. CAC – May 3, 2023** (Rick Fernandez, CAC Chair)

- Action Items
  - TIP Amendments on the TPO Board agenda today. Inquired whether the improvements will accommodate dedicated transit. Staff was able to provide the Mobility Plan to clarify the details of this project. Straw Poll passed 11 – 0
  - UPWP Straw Poll passed 11 – 0
  - Annual Certification of Metropolitan Transportation Planning Process. TPO Staff received praise for contributions to the planning profession and notable achievements; concern was expressed over the absence of any mention regarding the nation's leading traffic death tolls.
  - Draft CAC Resolution Regarding Partner Agency in the Committee Process - deferred
- Status Reports
  - Hillsborough County Truck Route Plan Update and 2050 Freight and Goods Movement Technical Memo
  - Draft FY24-28Transportation Improvement Program Update
- The June meeting of the CAC will be extended to 3 hours to allow for sufficient time to review the TIP. The July meeting will be converted from an optional social meeting to a business meeting to discuss the Coast and Revenue details Needs Assessment.

**Other Committee Reports**

Regarding today's Board action items, in addition to the CAC comments, the Technical Advisory Committee approved:

- **TIP Amendment for Tampa & Florida Corridor Improvements**
  - Members inquired about lane widths, users allowed in the Bus only lane, and the timing between the interim and final condition.
- **Unified Planning Work Program Update and Amendment**
- **Annual Certification of Metropolitan Transportation Planning Process**

**Many other great presentations were heard**

- US41/CSX Grade Separation PD&E is also on your agenda today
- Updates were given on preparations for the 2050 Long Range Plan:
- The BPAC heard about the proposed US Bicycle Route 15
- The Transportation Disadvantaged Coordinating Board approved the Community Transportation Coordinator Service Rates and the 2023 Transportation Disadvantaged Service Plan

**B. Public Comments Received Through Email & Social Media (Gena Torres, TPO Staff).**

- Facebook
  - Presumably in regard to the TIP item on Florida/Tampa project, there was a comment from **Mike LaMarca** requesting a bike lane or sharrows to not force bicycles to use a sidepath. Without proper access control, a sidepath puts bicyclists in danger.
  - **Michelle Cookson** posted that she remains opposed to the merger and the MOU to establish a multi-county Regional MPO. We need local representation that is responsive to Hillsborough County's unique geography, growth and mobility needs. She is concerned for the jobs and careers of our planning professionals on the Hillsborough TPO, and the work they have in progress. She added we don't need surrounding counties ganging up on us and treating us as merely a place to drive through or over. We are the economic powerhouse of this region, and we have immediate needs we have to tend to - first. Stand up for us, stand with us - regardless of pressure coming from the state
- Email
  - **Michael Maurino**, Executive Director of the Westshore Alliance emailed his appreciation to the TPO Board for approving the traffic signal and pedestrian crossings at Boy Scout and Manhattan. He also noted the assistance received from TPO staff, Johnny Wong
  - **Brian Ruscher**, Deputy Director of Multimodal at the Palm Beach TPA sent an email thanking Lisa Silva, of the TPO staff, for a presentation at their VZ workshop that was "spot on and flawless." He went on to say their Board chair and 55 other attendees were very engaged throughout the presentation.
  - **Patrick Pozzi**, emailed his opposition to the proposed MPO merger stating it would take away local decision making power which is what is needed most to have an effective transportation network. He added a consolidation of power would allow roads to be widened that may adversely affect a community. He also noted that TBARTA failed because it did not include local needs.
  - **Rick Fernandez** also submitted an email directed to the TMA on his opposition to the merger. In the email he cites the historic justification of why the MPOs should remain separate but with a cooperative regional planning process; that the failings of TBARTA

should be stated; the co-mingling of funds will not allow a guarantee for projects in Hillsborough County; the MOU language directing the 3 counties investigate a merger gives a predetermined outcome; the term sub-regional indicates that local concerns take a backseat; it is misleading to use the term local representation when it would be a regional board with members not accountable to a large number of voters

- **Voicemail**

- **Dave Coleman** left a voicemail to share his observations after attending a public meeting in Trinity in Pasco County. Besides noting there was not one person of color in attendance, the topic centered around the gentrification and removal of about 10 farmers over the last 20-30 years. In turn, he states, many thousands of people in Hillsborough County have been removed or hurt in some way from gentrification with many more dependent on decisions made by governing boards for transportation, housing, land use that are all Hillsborough specific. He requests that you absolutely vote no to a merger for this obvious reason showing the differences in concerns and issues between the counties.

- **Twitter**

- Responding to a TPO post about Tampa Train Day May 13, **Chris Nunya** wrote, "Since Tampa Union Station is owned by the [@CityofTampa](#) then [@GoBrightline](#) should be allowed to share the building. TUS was designed with multiple platforms in order to host trains from 3 different railway companies."

## VII. Consent Agenda *(Timestamp 0:31:54)*

### A. Committee Appointments

- TAC – Ana Garzon, as alternate by Department of Health

**Motion to approve the Consent Agenda made by Commissioner Cohen, seconded by Councilmember Maniscalco; the voice vote passed unanimously.**

## VIII. Action Items

### A. TIP Amendment: N Tampa St & N Florida Ave Urban Corridor Improvements (Roger Mathie, TPO Staff) *(Timestamp 0:32:10)*

- Review project summary – add design phase funding in FY24 for improvements
- Went over the Heights Mobility Project Interim condition to Final condition
- Went over US41B potential pedestrian features
- Review of financials
- Went over public outreach for the project

**Recommended Action:** Approve the FY22/23 TIP Amendment: N Tampa St & N Florida Ave Urban Corridor Improvements.

**Comparative Report:** [Combined Comparative Report 18.pdf](#)

**Presentation:** [TIP Amendment N Tampa St & N Florida Ave Urban Corridor Improvements](#)

**Discussion:**

Stormwater improvements are necessary due to flooding. There is a bus stop with no crosswalks. This is a very heavily traveled road, and it is very dangerous. The improvements are much needed and wanted by the residents. Clarification was asked about the wider sidewalks and whether there will be a bike lane. The City of Tampa is putting in a bike lane a couple of blocks west of Tampa; it was asked if cyclists were going to be encouraged to use that. Yes, along with a street to the east. There are going to be additional protected crossings as well.

**Councilmember Maniscalco moved to approve the TIP Amendments; seconded by Commissioner Cohen. Roll call vote passed 14 – 0.**

**B. Unified Planning Work Program Update and Amendment** (Amber Simmons, TPO Staff)  
(Timestamp 0:41:48)

- Reviewed results from FY23 current ongoing & completed projects
- Went over critical path projects for FY23 & FY24 (required for FY24)
- Looked at other recommended projects
- Proposed projects that the TPO could seek grant funding for: Making I-275 a better neighbor and the Streetcar Feasibility Study
- Went over the FY24 Budget – roll-over funds, grants, and other funding sources
- Went over the Amendment to the UPWP to accommodate project schedule changes and the addition of the EPA Grant

**Recommended Action:** Approve the UPWP Amendment

[UPWP Task Pages and Proposed Budget Tables](#)

**Presentation:** [UPWP FY 23 Review & FY 24 Proposed Projects](#)

**Councilmember Maniscalco moved to approve the UPWP; seconded by Councilmember Schisler. The voice vote passed unanimously.**

**C. Community Air Monitoring Project: USF College of Public Health MOU** (Amber Simmons, TPO Staff) (Timestamp 0:46:57)

- **Related to the UPWP amendment and the EPC Grant.**
- **Enables the College of Public Health to continue providing scientific and technical expertise on community air monitoring and public engagement among disadvantaged communities and vulnerable populations near the interstates**
- **EPA Grant will fund the work and expansion**

**Recommended Action:** Approve Memorandum of Understanding

**Councilmember Maniscalco moved to approve the USF College of Public Health MOU; seconded by Commissioner Cohen. The voice vote passed unanimously.**

**D. Annual Certification of Metropolitan Transportation Planning Process** (Johnny Wong, TPO Staff)  
(Timestamp 0:48:50)

- Review – Federal government evaluates compliance every four years; the last one was in January 2021. Between major reviews, the TPO's planning process must be certified annually

- Went over certification results provided in the May 2023 agenda packet

**Recommended Action:** Support recertification of the TPO and authorize the TPO Chair to sign the Joint Certification Statement

**Commissioner Cohen moved to support the recertification of the TPO and authorize the TPO Chair to sign the Joint Certification Statement; seconded by Councilmember Maniscalco. The voice vote passed unanimously.**

E. **Memorandum of Understanding on Creating a Tampa Bay MPO** (Elizabeth Watkins, TPO Staff)  
(Timestamp 0:51:59)

- The MOU is to seed feedback on a possible merger
- Went over the Tampa – St. Petersburg, FL Transportation Management Area
- Review of the legislation directive
- Looked at the Pros and Cons
- Went over case studies – Rio Grand Valley, TX Re-Designation (2019), ARC Livable Communities
- Review of MOU Summary – apportionment, governance structure, balancing local and regional needs, funding, outreach, federally required plans and programs, agreements, existing staff
- Recommendation of MOU Modification
- Went over the proposed timeline: 2023 – 2026
- Review of Regional MPO Apportionment Plan and Business Model
- Looked at Outreach plans and methodologies
- Next Steps

**Recommendation: Support the working draft MOU for circulation for comment from local governments and the public; strike the “Whereas” clause about Planning Funds (PL) distribution**

**Discussion:**

One of the Cons shown in the presentation is the risk of smaller communities losing influence. With a regional MPO, the voices would be lost. There is the Tampa Bay Regional Council. It was brought up that the Tampa Regional Airport is a great example of how regional planning works and supports all regional areas. It was asked how the TPO is funded. For the most part, by federal grants. In this conversation, it was noted that one of the grants is divided up between all of the MPOs in the state. If there is a merger, the TPO will lose that allocation of funding. The staff costs are fronted by the host agency, The Planning Commission and those funds are from the jurisdictions. It was noted that losing some funds while gaining others may be a wash; it was expressed that the broader costs need to be looked at. A lot of the pressure points are on regional corridors. It was noted that Hillsborough is different from the other counties as there are three incorporated cities along with unincorporated county. A regional merger may be appropriate in future years. The airport is a single point of travel and cannot really compare. It was noted that there is a benefit to being the largest MPO in the state. There are many boards that have unelected officials in Hillsborough County. It was brought up that the focus has been on Tampa for a long time. Pinellas and Pasco have already voted to move forward with the study. It was noted

that the \$350,000 would not be allocated to the regional MPO but there would be 3 allocations for each of the counties in the region. This funding would be determined by the study. One of the biggest pros may be in determining where discretionary funding is distributed. Some of that is the clout of the area requesting the funds. If this area was speaking as a region, there may be additional funding allocated. The study will reveal a lot of information. It was noted that it has to be put into context that Hillsborough County needs to be a part of the study and the discussion. The apportionment plan and representation will be critical to be proportionate with the population. Jurisdictional lines are invisible to the people who live here. The Westshore Interchange took everyone in the region to come together to make it happen. There are examples of regional cooperation that work well. Apportionment is a major part of this challenge; part needs to be where people live and also needs to be where people work. Moving people and not just cars is going to take a larger discussion. The discussion of the big ideas will come from the community and the leaders; should not kill the ideas before they start.

**Commissioner Owen moved to approve the MOU, seconded by Councilmember Schisler. The voice vote passed with two NO votes from Councilmember Maniscalco and Board Member Vaughn**

## **IX. STATUS REPORTS**

### **A. US 41/CSX Grade Separation Project Development & Environment Study (Amber Russo, FDOT)** *(Timestamp 1:24:02)*

- US 41 and Causeway Blvd.
- Went over the purpose and project need – supporting truck and vehicle traffic, there are no bike lanes
- Initially approved in May 1994 – being reevaluated now
- Review of the project location – approximately 0.6 miles on Causeway and 1.3 miles on US 41
- These are important corridors, industrial and commercial, freight networks, evacuation routes
- Went over typical sections and the proposed typical sections – Causeway will remain four-lane with additional turn lanes; US 41 will remain six-lane with widening additional turn lanes
- Review of stormwater management
- Went over estimated project costs
- Consistent with 2045 LRTP
- Review of project schedule – public hearing will be June 1, 2023

**Project Website:** [US 41/SR 45/ South 50th Street at CSX Grade Separation Design Change Re-evaluation](#)

**Presentation:** [440749-1 US 41 at CSX TPO Presentation \(planhillsborough.org\)](#)

### **Discussion:**

It was noted that there once was rail going through downtown Tampa to Staten (Harbour) Island. Port Tampa Bay worked with CSX to have it moved. There have been other manufacturing moved from the downtown area. The project location is where there is a phosphate terminal. This area has become more urbanized. The Port is being pushed more to the south and the east. The Port supports this project to improve congestion and prevent delays along with better freight movement.



**Commissioner Cohen moved to receive the report, seconded by Council Member Schisler. The motion passed unanimously.**

**X. EXECUTIVE DIRECTOR'S REPORT** *(Timestamp 1:35:02)*

- A. Reminder: an upcoming survey of Board members regarding Executive Director applicants: please respond between May 22 – June 9. Closing the application process on May 12, 2023. Will report back in June of the shortlist. Interviews will be virtual in July.
- B. TMA Leadership meeting in June, that is when apportionment and budget plans will begin. Will schedule time with each of the local governments to get feedback. Will be back in the fall with further information.
- C. There is a special meeting in June with the TPO, The Planning Commission and the River Board on June 16, 2023 to look at planning. This is a strategic meeting and an opportunity to discuss items about a possible merger.
- D. The next meeting is the public hearing, it will be on the 2<sup>nd</sup> floor at 6 PM.

**XI. OLD & NEW BUSINESS** *(Timestamp 1:39:52)*

**XII. ADJOURNMENT** – The meeting adjourned at 10:34 PM

The recording of this meeting may be viewed on YouTube: [Meeting Recording](#)



## Hillsborough TPO Transportation Planning Organization

### Summary of Committee Reports Related to TPO Agenda Topics

Regarding today's Board action items, in addition to the CAC comments, the Technical Advisory Committee approved:

- **TIP Amendment for Tampa & Florida Corridor Improvements**
  - Members inquired about lane widths, users allowed in the Bus only lane, and the timing between the interim and final condition.
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### Many other great presentations were heard by all of the TPO committees:

- US41/CSX Grade Separation PD&E is also on your agenda today
- Updates were given on preparations for the 2050 Long Range Plan:
- The BPAC heard about the proposed US Bicycle Route 15
- The Transportation Disadvantaged Coordinating Board approved the Community Transportation Coordinator Service Rates and the 2023 Transportation Disadvantaged Service Plan
- The CAC is looking forward to the opportunity to review the cost-revenue needs assessment and will be hosting a workshop in July to have open dialogue about viable revenue sources.

### Summary of Public Comments – May 2023

#### Facebook

- Presumably in regard to the TIP item on Florida/Tampa project, there was a comment from **Mike LaMarca** requesting a bike lane or sharrows to not force bicycles to use a sidepath. Without proper access control, a sidepath puts bicyclists in danger.
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**SUMMARY OF BILLS OF INTEREST THAT PASSED:**

	<b>page</b>
<b>Affordable Housing (SB 102)</b>	<b>1</b>
<b>Enforcement of School Bus Passing (SB 766)</b>	<b>4</b>
<b>Enforcement of School Zone Speed Limits (HB 657)</b>	<b>6</b>
<b>Environmental Protection (HB 1379)</b>	<b>7</b>
<b>Flooding and Sea Level Rise (HB 111)</b>	<b>8</b>
<b>HART (HB 1397)</b>	<b>9</b>
<b>Land Use and Development Regulation (SB 1604)</b>	<b>10</b>
<b>Local Government Comprehensive Plans (SB 540)</b>	<b>11</b>
<b>Local Ordinances (SB 170)</b>	<b>12</b>
<b>MPO Merger (HB 425 and HB 1305)</b>	<b>13</b>
<b>Natural Emergencies (SB 250)</b>	<b>15</b>
<b>Non-motorized Trails (SB 106)</b>	<b>17</b>
<b>Taxation (HB 7063)</b>	<b>18</b>
<b>TBARTA (HB 155)</b>	<b>18</b>
<b>NOTES</b>	<b>19 -- 22</b>

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**AFFORDABLE HOUSING (SB 102)**

The Law (Chapter 2023-17, L.O.F.), cited as the “Live Local Act,” makes various changes and additions to affordable housing related programs and policies at both the state and local level. The following summary encompasses the full scope of changes.

Much of the Law involves the Florida Housing Finance Corporation (FHFC), a public-private entity that administers the two largest statewide affordable housing programs: the State Apartment Incentive Loan (SAIL) program and the

State Housing Initiatives Partnership (SHIP) program. With regards to funding, the Law:

- Provides appropriations for the SHIP and SAIL programs, including:
  - \$252 million in non-recurring funds from the Local Government Housing Trust Fund for the SHIP program for the 2023-2024 fiscal year.
  - \$109 million in non-recurring funds from the State Housing Trust Fund for the SAIL program for the 2023-2024 fiscal year; and
  - \$100 million in non-recurring funds from the General Revenue Fund to implement a competitive loan program to alleviate inflation-related cost increases for FHFC-approved multifamily projects that have not yet commenced construction; funds unallocated as of December 1, 2023, will be dedicated as additional SAIL funding (effective upon becoming a law).
- Temporarily exempts documentary stamp tax revenues from the General Revenue service charge to provide up to \$150 million in recurring funding to the SAIL program for specified priorities, such as urban infill projects and projects near military installations.
- Establishes the Florida Hometown Hero down payment assistance program for first-time homebuyers with incomes at or below 150 percent of the area median income (AMI) and employed by a Florida-based employer. The bill appropriates \$100 million in non-recurring funds from the General Revenue Fund to implement this program.

#### Effects on Local Government:

- Preempts local governments' requirements regarding zoning, density, and height to allow for streamlined development of affordable multifamily rental housing in commercial, industrial, and mixed-use zoned areas under "certain circumstances" (see NOTE #1).
- Removes a local government's ability to approve affordable housing on residential parcels by bypassing state and local laws that may otherwise preclude such development, while retaining such right for commercial and industrial parcels.
- Removes provision in current law allowing local governments to impose rent control under certain emergency circumstances, preempting rent control ordinances entirely.

- Requires counties and cities to update and electronically publish the inventory of publicly owned properties which may be appropriate for affordable housing development.
- Authorizes the FHFC, through contract with the Florida Housing Coalition, to provide technical assistance to local governments to facilitate the use or lease of county or municipal property for affordable housing purposes.
- Requires local governments to maintain a public written policy outlining procedures for expediting building permits and development orders for affordable housing projects.

The Law also introduces three ad valorem property tax exemptions, which first apply to the 2024 tax roll:

- An ad valorem tax exemption for land owned by a nonprofit entity that is leased for a minimum of 99 years for the purpose of providing affordable housing.
- An ad valorem tax exemption that applies to rent-restricted units within newly constructed or substantially rehabilitated developments setting aside at least 70 units for affordable housing for households earning 120 percent of the AMI or less.
- Authorizes counties and municipalities to offer, through ordinance, an ad valorem tax exemption to property owners who dedicate units for affordable housing for households earning 60 percent of the AMI or less.

Other Effects on the Florida Housing Finance Corporation:

- Provides up to a \$5,000 refund for sales tax paid on building materials used to construct an affordable housing unit funded through the FHFC.
- Creates a new tax donation program to allow corporate taxpayers to direct certain tax payments to the FHFC, up to \$100 million annually, to fund the SAIL program. Of these funds, up to \$25 million annually can be dedicated to loans for the construction of large-scale projects of significant regional impact.
- Adds two members to the FHFC Board of Directors, one appointed by the leader of each chamber of the Legislature.

- Broadens the ability for the FHFC to invest in affordable housing developments for those in or aging out of foster care.
- Adds a requirement to its annual legislative budget request.

#### Effects on Other State-Level Resources:

- Revises the State Housing Strategy to align with current best practices and goals.
- Requires managers of state non conservation lands to analyze whether such lands would be more appropriately transferred to a local government for affordable housing related purposes.
- Expands Job Growth Grant Fund eligibility to specifically authorize public infrastructure projects that support affordable housing.
- Increases the amount of tax credits available through the Community Contribution Tax Credit Program for affordable housing from \$14.5 million to \$25 million annually.

These provisions were approved by the Governor and take effect July 1, 2023, except where otherwise provided.

#### **ENFORCEMENT OF SCHOOL BUS PASSING (SB 766)**

SB 766 authorizes a school district to install and maintain school bus infraction detection systems. The school district may contract with a private vendor or manufacturer to provide a school bus infraction detection system on each school bus in its fleet. The system uses electronic traffic enforcement technology to record traffic violations when drivers fail to stop for a school bus displaying a stop signal.

To use a school bus infraction detection system, the bill requires:

- The school district to enter an interlocal agreement with a law enforcement agency authorized to enforce school bus stop signal violations within the school district.
- The systems meet specifications established by the State Board of Education.
- School districts make a public announcement and conduct a 30-day public awareness campaign before commencing initial enforcement using such systems.
- School buses with such operational systems have high-visibility reflective signage on the rear of the school bus indicating system use.

The bill requires the school district, or a private vendor or manufacturer contracting with a school district, to submit specific information regarding alleged violations to the law enforcement agency authorized to enforce school bus stop signal violations in the school district. The information must be submitted within 30 days after the alleged violation is captured and include a copy of the recorded image showing the motor vehicle; the license plate number and state of issuance; and the date, time, and place of the alleged violation.

If the law enforcement agency determines a violation occurred, the agency must send a notice of violation, within 30 days, by first-class mail to the vehicle's registered owner. The notice must include information detailing how to pay the civil penalty, review the evidence, request a hearing to contest the violation, or submit an affidavit providing a defense of the violation. If the owner does not contest, pay the civil penalty, or submit an affidavit within 30 days after receiving the notice of violation, he or she will be issued a uniform traffic citation.

Under the bill, a violation enforced by a school bus infraction detection system is subject to a \$225 civil penalty. The \$200 civil penalty collected must be provided to the school district in which the violation occurred and must be used to install or maintain school bus infraction detection systems, for the administration and costs associated with enforcement of the violations, or for any other technology that increases the safety of the transportation of students. The additional \$25 collected is distributed to the Department of Health's Emergency Medical Services Trust Fund for payment to trauma centers.

The bill prohibits individuals from receiving any commission based on revenue collected, or a vendor or manufacturer receiving any fee based on the number of



violations detected through use of the system. Each school district in consultation with the law enforcement agency with which it has interlocal agreements using the system must report quarterly information to the Department of Highway Safety and Motor Vehicles (DHSMV) beginning October 1, 2023. DHSMV must submit an annual summary report to the Governor, the President of the Senate, and the Speaker of the House of Representatives beginning December 31, 2024, providing specified information.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

### **ENFORCEMENT OF SCHOOL ZONE SPEED LIMITS (HB 657)**

HB 657 authorizes counties and municipalities to use speed detection systems, like red light cameras, to enforce school zone speed limits for violations in excess of 10 miles per hour over the applicable speed limit when children are going to or from school and during the entirety of the school day. The bill:

- Defines the term "speed detection system" and requires a county or municipality to enact an ordinance regarding the placement or installation of speed detection systems and to make a determination that the location of such system warrants additional enforcement action.
- Requires signage warning motorists that speed detection systems are in use.
- Requires a public awareness campaign prior to commencing enforcement of school zone speed limits with speed detection systems.
- Requires the governing body of a county or municipality operating one or more school zone speed detection systems to hold public meetings regarding contracts and data reported to the Department of Highway Safety and Motor Vehicles (DHSMV).
- Creates a School Crossing Guard Recruitment and Retention Program using proceeds from penalties resulting from enforcement of school zone speed limits through a speed detection system.
- Requires speed detection systems to be installed according to specifications established by the Department of Transportation.
- Provides requirements for issuing a notice of violation or, if necessary, a uniform

traffic citation.

- Provides for a \$100 penalty for each violation and provides for the distribution of the proceeds to state and local governments.
- Provides defenses for persons who receive a notice of violation or uniform traffic citation.
- Provides that enforcement using a speed detection system supplements enforcement by a law enforcement officer.
- Provides procedures for hearings regarding these violations.
- Provides requirements for the retention and destruction of data obtained from speed detection systems.
- Requires reporting by counties and municipalities that implement speed detection system programs in school zones and requires a summary report by DHSMV.
- Exempts speed detection systems from DHSMV's requirements for radar or LiDAR units, while requiring a speed detection system to perform self-tests as to its detection accuracy.
- Prohibits points from being imposed for a violation of unlawful speed in a school zone enforced by a speed detection system and prohibits such violations from being used for purposes of setting motor vehicle insurance rates.

The bill may have an indeterminate fiscal impact on the state, local governments, and the private sector. Subject to the Governor's veto powers, the effective date of this bill is July 1, 2023.

## **ENVIRONMENTAL PROTECTION (HB 1379)**

HB 1379 recognizes that each state must establish water quality standards for waters within their borders, and the Department of Environmental Protection (DEP) is responsible for establishing water quality standards in Florida. DEP and the Department of Agriculture and Consumer Services manage two of the state's land conservation and preservation programs, the Florida Forever Program and the Rural and Family Lands Protection Program, respectively.

Among other things, the bill:

- Requires any county or municipality with a basin management action plan (BMAP) within its jurisdiction to include within the capital improvement element of its comprehensive plan a list of projects necessary to achieve the pollutant load reductions attributable to the local government as established in the BMAP.
- Prohibits the installation of new onsite sewage treatment and disposal systems (OSTDSs) within a BMAP area adopted under s. 403.067, F.S., a reasonable assurance plan, or a pollution reduction plan where connection to a publicly owned or investor-owned sewerage system is available. In addition, on lots of 1 acre or less within such areas where a publicly owned or investor-owned sewerage system is not available, the bill requires the installation of enhanced nutrient-reducing OSTDSs or other wastewater treatment systems that achieve at least 65 percent nitrogen reduction.
- Authorizes DEP to provide grants for projects that reduce the amount of nutrients entering waters that are not attaining nutrient or nutrient-related standards; have an established total maximum daily load (TMDL); or are located within a BMAP area, a reasonable assurance plan area adopted by final order, an accepted alternative restoration plan area, or a rural area of opportunity.

The bill may have an indeterminate fiscal impact on state and local governments and on the private sector. Subject to the Governor's veto powers, the effective date of this bill is July 1, 2023.

## **FLOODING AND SEA LEVEL RISE (HB 111)**

HB 111 recognizes that sea level rise is an observed increase in the average local sea level or global sea level trend. With 1,350 miles of coastline and relatively low elevations, Florida is particularly vulnerable to coastal flooding, and analysts estimate that Florida could lose more than \$300 billion in property value by 2100 due to sea level rise and flooding. The Department of Environmental Protection (DEP) regulates coastal construction to protect Florida's beaches and dunes from imprudent construction that can jeopardize the stability of the beach-dune system, accelerate erosion, provide inadequate protection to upland structures,

endanger adjacent properties, or interfere with public beach access. DEP also implements the Resilient Florida Grant Program, which provides grants to local governments to fund community resilience planning and vulnerability assessments. In 2020, the Legislature passed Senate Bill 178 (Chapter 2020-119, Laws of Florida) which prohibited a public entity from commencing construction of certain state-funded coastal structures unless the entity has conducted a sea level impact projection (SLIP) study to assess risks to the structure. Chapter 2020-119, Laws of Florida, directed DEP to adopt rules to develop a standard by which public entities must conduct the SLIP study and specified requirements. The bill expands the requirement for public entities to conduct a SLIP study before commencing construction of certain state-financed coastal structures to apply the requirement to certain structures that are within any area that is at risk due to sea level rise, not just areas within the coastal building zone. The structures subject to this requirement are any “potentially at-risk structures or infrastructure,” which include certain critical assets or historical or cultural assets that are within an area at risk due to sea level rise.

The bill expands the Resilient Florida Grant Program to provide funding to:

- Municipalities and counties for feasibility studies and permitting costs for nature-based solutions that reduce the impact of flooding and sea level rise; and
- Water management districts to support local government adaptation planning.

The bill may have an indeterminate negative fiscal impact on state government, DEP, and local governments. Subject to the Governor’s veto powers, the effective date of this bill is July 1, 2023.

## **HART (HB 1397)**

HB 1397 recognizes that given Florida’s rapid population growth, the effective coordination of transportation planning and service delivery, particularly regional transportation mobility, is critical to the safe and efficient development, management, operation, and maintenance of public transit systems. The bill provides legislative intent to explore transformative changes to the policy management structure of the Hillsborough Area Regional Transit Authority (HART) to achieve organizational efficiencies with the goal of streamlining decision-

making, improving transparency, and enhancing the effectiveness of local and regional public transit service delivery. The bill requires the Department of Transportation (DOT), or its consultant, to conduct a study reviewing specified aspects of HART's organizational structure and operation and requires DOT to submit a report detailing the results of the study to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 1, 2024.

The bill has an indeterminate fiscal impact on state government and no fiscal impact on local governments or the private sector. Subject to the Governor's veto powers, the effective date of this bill is upon becoming law.

### **LAND USE AND DEVELOPMENT REGULATION (SB 1604)**

The Law (Chapter 2023-31, L.O.F.) makes various changes to current law pertaining to local government comprehensive planning, and local regulation of electrical substation siting, among other things.

#### Comprehensive Planning:

The Law revises local comprehensive planning requirements by increasing the two required planning periods to a 10-year and 20-year period, from 5 and 10, and prohibiting local governments that fail to update their comprehensive plans in accordance with the 7-year evaluation and appraisal process from initiating or adopting any publicly initiated plan amendments. Additionally, the Law prescribes "certain procedures" (see NOTE #2) for the Department of Economic Opportunity to apply when local governments remain out of compliance with comprehensive planning updates.

The Law also removes local governments' ability to require specified "building design elements" for residential dwellings in planned unit developments, and master planned communities (unless approved before July 1, 2023) with a design review board or architectural review board created on or after January 1, 2020. "Building design elements" mean the external building color; the type or style of exterior cladding material; the style or material of roof structures or porches; the exterior nonstructural architectural ornamentation; the location or architectural styling of windows or doors; the location or orientation of the garage; the number and type of rooms; and the interior layout of rooms.

## Electrical Substations:

“Distribution electrical substation” is defined in current law as an electrical substation which takes electricity from the transmission grid and converts it to a lower voltage so it can be distributed to customers in the local area on the local distribution grid through one or more distribution lines less than 69 kilovolts in size.

The construction of new “distribution electrical substations” is permitted use in all future land use categories and zoning districts, with certain exceptions. Local governments may adopt reasonable land development regulations for new substations, addressing only setback, landscaping, buffering, screening, lighting, and other aesthetic compatibility-based standards.

The Law modifies the term “distribution electrical substation” to include accessory administration or maintenance buildings and related accessory uses and structures. It also removes reference to “distribution” and the kilovolt limitation, applying the local regulation limitations to electric substations of all sizes, i.e., distribution and transmission substations. Additionally, the Law makes the electric substation approval process applicable to existing substations, as well as new ones, and removes the ability for local governments to adopt reasonable land development regulations for solar substations.

These provisions were approved by the Governor and take effect July 1, 2023, except as otherwise provided.

## **LOCAL GOVERNMENT COMPREHENSIVE PLANS (SB 540)**

Current law provides a process for an affected person to challenge whether a comprehensive plan or plan amendment complies with the Community Planning Act in Chapter 163, F.S., by petitioning the Division of Administrative Hearings for a formal hearing on the matter. The bill provides that in an administrative challenge to a comprehensive plan or a plan amendment, the prevailing party is entitled to recover attorney fees and costs, including reasonable appellate attorney fees and costs.

The bill also clarifies the scope of review for a local government decision to grant or deny a development order by providing that the order may only be challenged if it would materially alter the use, density, or intensity of the property in a manner not consistent with the comprehensive plan. Lastly, the bill provides that land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

### **LOCAL ORDINANCES (SB 170)**

SB 170 pertains to the passage and challenging of local ordinances. It adds to the process for local governments passing ordinances and gives certain additional rights to those challenging local ordinances. The bill requires counties and cities to produce a "business impact estimate" prior to passing an ordinance, with exceptions. The estimate must be published on the local government's website and include certain information, such as the proposed ordinance's purpose, estimated economic impact on businesses, and compliance costs.

Additionally, the bill imposes certain conditions on lawsuits brought by any party to challenge the legal validity of local ordinances as preempted by state law, arbitrary, or unreasonable. In these cases, the bill:

- Requires the local government to suspend enforcement of an ordinance of such legal challenge, under certain circumstances.
- Requires the court to give those cases in which enforcement of the ordinance is suspended priority over other pending cases and render a preliminary or final decision as expeditiously as possible.
- Provides that a court may award up to \$50,000 in attorney fees to a prevailing plaintiff who successfully challenges an ordinance as arbitrary or unreasonable.

The bill also provides, remedially and effective upon becoming a law, that properly noticed consideration of a proposed ordinance may be continued to a

subsequent meeting under certain circumstances without further publication, mailing, or posted notice.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2023, except where otherwise provided.

### **MPO MERGER (portions of HB 425 and HB 1305)**

During the 2023 Legislative Session, two bills related to transportation passed, HB 425 and HB 1305 (approved by the Governor) which included a wide array of issues in addition to MPO topics. The following is a summary of MPO topics.

#### MPO Designation:

HB 425 revises the provision that allows more than one MPO to be designated for each urbanized area or groups of urbanized areas, in which case each MPO designated for the urbanized area must:

- Consult with every other MPO designated for the area and the state to coordinate plans and transportation improvement programs.
- Ensure, to the maximum extent practicable, the consistency of data used in the planning process, including data used in forecasting travel demand with the urbanized area.

#### MPO Powers, Duties, and Responsibilities:

The bill prohibits MPOs from performing production or delivery for capital improvement projects on the State Highway System. The bill requires each MPO in developing its long-range transportation plan and transportation improvement program to:

- Support the economic vitality of the contiguous urbanized metropolitan area;
- Enhance the integration and connectivity of the transportation system, across and between contiguous urbanized metropolitan areas, for people and freight; and
- Improve the resilience of transportation infrastructure.



The bill requires each MPO to prepare a congestion management system for the contiguous urbanized metropolitan area. The bill requires certain MPOs to consider the proportional representation of the area's population when selecting membership of a technical advisory committee and requires that, whenever possible, representatives of intermodal logistics centers be included on the technical advisory committee. The bill removes legislative findings regarding transportation projects crossing from the jurisdiction of one MPO into the jurisdiction of another MPO. The bill provides that multiple MPOs may merge, combine, or otherwise joint together as a single MPO.

#### Tampa Bay Area MPOs:

HB 425 and HB 1305 repeal the Chairs Coordinating Committee. In its place, the bills require that, by December 31, 2023, the MPOs serving Hillsborough, Pasco, and Pinellas Counties must submit a feasibility report to the Governor, the President of the Senate, and the Speaker of the House of Representatives exploring the benefits, costs, and process for consolidation into a single MPO serving the contiguous urbanized area, the goal of which would be to:

- Coordinate transportation projects deemed to be regionally significant.
- Review the impact of regionally significant land use decisions on the region.
- Review all proposed regionally significant transportation projects in the transportation improvement programs.

#### Long-Range Transportation Plan:

HB 425 requires multiple MPOs within a contiguous urbanized area to coordinate the development of long-range transportation plans to be reviewed by the Metropolitan Planning Organization Advisory Council. The bill also requires multiple MPOs within a contiguous urbanized area to ensure, to the maximum extent possible, consistency in the data used in the planning process.

#### Transportation Improvement Program:

HB 425 adds ensuring safety to the list of principles to be considered by each MPO when developing a list of project priorities and a transportation improvement program, requires multiple MPOs within a contiguous urbanized area to

coordinate transportation improvement programs, and requires each MPO's transportation improvement program to indicate coordination or alignment with transportation improvement plans of other MPOs within the contiguous urbanized area.

Except as otherwise provided, these provisions are effective July 1, 2023.

## **NATURAL EMERGENCIES (SB 250)**

SB 250 makes various changes throughout Florida Statutes regarding the preparation and response activities of state and local government when natural emergencies impact the state.

Specifically, the bill:

- Prohibits counties and municipalities within 100 miles of Hurricane Ian or Hurricane Nicole landfall from adopting more restrictive or burdensome procedures to their comprehensive plans or land development regulations concerning review, approval, or issuance of a site plan, development permit, or development order before October 1, 2024. Additionally, such counties and municipalities may not propose or adopt a moratorium on construction, reconstruction, or redevelopment of any property damaged by Hurricane Ian or Nicole (effective upon becoming a law).
- Prohibits counties and municipalities within the disaster declaration for Hurricane Ian or Hurricane Nicole from increasing building fees until October 1, 2024 (effective upon becoming a law).
- Prohibits counties and municipalities within the disaster declaration for Hurricane Ian or Hurricane Nicole from increasing building fees until October 1, 2024 (effective upon becoming a law).
- Requires the Division of Emergency Management to post on its website a model debris removal contract for the benefit of local governments (effective upon becoming a law).
- Requires the Division of Emergency Management to prioritize technical assistance and training to fiscally constrained counties on aspects of

preparedness, response, recovery, and mitigation (effective upon becoming a law).

- Encourages local governments to create emergency financial plans in preparation for major natural disasters.
- Allows registered contractors to engage in contracting for the types of work covered by their registration within areas for which a state of emergency has been declared (effective upon becoming a law).
- Extends the date for fire control districts within 50 miles of Hurricane Ian's landfall to submit statutorily required performance reviews.
- Amends the Consultants' Competitive Negotiation Act to allow for additional disaster-related construction projects relating to Hurricane Ian to utilize the "continuing contracts" provision through December 31, 2023 (effective upon becoming a law).
- Makes the Local Government Emergency Bridge Loan Program a revolving program and makes funds available for local governments impacted by federally declared disasters until July 1, 2038. The bill appropriates \$50 million in nonrecurring funds from the General Revenue Fund to the program for the 2023-2024 fiscal year and authorizes \$50 million of funds appropriated in special session to a previous version of the program to be transferred and used for this program.
- Provides clarification regarding the 45-day grace period following a hurricane in which owners must bring a derelict vessel into compliance before being charged with a violation.
- Directs the Division of Emergency Management to administer a revolving loan program for local government hazard mitigation projects and appropriates \$1 million in nonrecurring funds from the General Revenue Fund and \$10 million in nonrecurring funds from the Federal Grants Trust Fund for such activity for the 2023-2024 fiscal year.
- Shields public utilities from liability for damages arising from changes in reliability, continuity, or quality of services stemming from an emergency or disaster.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023, except as otherwise provided.

## **NON-MOTORIZED TRAILS (SB 106)**

SB 106 was approved by the Governor as Chapter No. 2023-20. The Law recognizes the Florida Greenways and Trails System (FGTS) is made up of existing planned and conceptual nonmotorized trails and ecological greenways that form an integrated statewide system. The system includes paddling, hiking, biking, multi-use, and equestrian trails. In 2015, the Legislature formally created the Florida Shared-Use Nonmotorized Trail Network (SUN Trail Network) as a component of the FGTS. The SUN Trail Network consists of paved multiuse trails or shared-use paths physically separated from motor vehicle traffic that provide pedestrians and bicyclists opportunities to travel between communities, conservation areas, state parks, and other natural or cultural attractions for a variety of trip purposes. The Florida Department of Transportation (DOT) estimates that the full network will encompass approximately 4,000 miles of trails, with one-third currently open for use. The Law expands the existing SUN Trail Network and enhances coordination of the state's trail system with the Florida Wildlife Corridor (Corridor).

Specifically, the Law:

- Prioritizes the development of “regionally significant trails,” which are defined as trails that cross multiple counties; attract national and international visitors; serve economic and ecotourism development; showcase the state's wildlife areas, ecology, and natural resources; and serve as main corridors for trail connectedness across the state.
- Enhances the planning, coordination, and marketing of the state's bicycle and pedestrian trail system and the Corridor.
- Requires trails developed within the Corridor to maximize the use of previously disturbed lands and be compatible with applicable land use provisions.
- Requires DOT to erect uniform signage identifying trails that are part of the SUN Trail Network and to submit a periodic report on the status of the SUN Trail Network.
- Authorizes DOT and local governments to enter into sponsorship agreements for trails and to use associated revenues for maintenance, signage, and related amenities.
- Recognizes “trail town” communities and directs specified entities to promote the use of trails as economic assets, including the promotion of trail-based

tourism.

- Increases recurring funding for the SUN Trail Network from \$25 million to \$50 million and provides a non-recurring appropriation of \$200 million to plan, design, and construct the SUN Trail Network. The Law may have an indeterminate fiscal impact on the state and local governments.

The Law will become effective on July 1, 2023.

## **TAXATION (HB 7063)**

Among other things, the Taxation “Package,” HB 7063 requires that the reenactment or increase of a currently levied local tax must appear on the ballot in a general election within the 48 months preceding the effective date of the re-enacted or increased tax, and the question may only appear once during that 48-month period. This provision applies to discretionary sales surtaxes, local option fuel tax, ninth-cent fuel tax, as well as tourist development tax, tourist impact tax, and children’s services tax.

Subject to the Governor’s veto, the effective date is July 1, 2023.

## **TBARTA (HB 155)**

Created in 2007, the Tampa Bay Area Regional Transit Authority covers Hernando, Hillsborough, Manatee, Pasco, and Pinellas Counties. TBARTA currently offers a vanpool service, known as Commute Tampa Bay. It has also conducted various transit planning studies for the Tampa Bay area, including its Envision 2030 plan. On January 20, 2023, TBARTA’s board adopted a plan to wind down and close its operations. The bill repeals Chapter 343, part III, F.S., relating to TBARTA, dissolves TBARTA effective June 30, 2024, and requires TBARTA to provide for the discharge of any liabilities, settle and close its affairs, transfer any pending activities such as its vanpool program, close and appropriately dispense any applicable federal or state funds, provide for the distribution of any remaining assets, notify the Department of Economic Opportunity and each entity

represented on TBARTA's board that it is dissolved, and forward its records to the Department of State. The bill does not appear to have a fiscal impact on state government or the private sector. According to the staff analysis, the bill has an indeterminate fiscal impact on TBARTA's member counties. Subject to the Governor's veto powers, the effective date of this bill is July 1, 2023.

## **NOTE #1**

### **SB 102 Affordable Housing: "certain circumstances"**

166.04151 Affordable housing--

(7)(a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004.

Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

(b) A county may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any unincorporated land in the county where residential development is allowed.

(c) A county may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher

(d) A proposed development authorized under this subsection must be administratively approved and no further action by the board of county commissioners is required if the development satisfies the county's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

(e) A county must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the county's land development code, and the major transit stop is accessible from the development.

(f) For proposed multifamily developments in an unincorporated area zoned for commercial or industrial use which is within the boundaries of a multicounty independent special district that was created to provide municipal services and is not authorized to levy ad valorem taxes, and less than 20 percent of the land area within such district is designated for commercial or industrial use, a county must authorize, as provided in this subsection, such development only if the development is mixed-use residential.

(g) Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

(h) This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial.

(i) This subsection expires October 1, 2033.

## NOTE #2

### **SB 1604 Land Use Regulation: “certain procedures”**

163.3191 Evaluation and appraisal of comprehensive plan—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. 163.3177(5) or to reflect changes in state requirements in this part since the last update of the comprehensive plan and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. 163.3177(5), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. 163.3184.

(3) Local governments shall comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must be reviewed pursuant to s. 163.3184(4). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit the letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency, it may not initiate or adopt any publicly initiated plan amendments to its comprehensive plan until such time as it complies with this section, unless



otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.

(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12- month period. If the update is challenged by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

Except as otherwise expressly provided in this act, SB 1604 shall take effect July 1, 2023.

# MOBILITY & ENVIRONMENTAL SECTIONS

Tampa Comprehensive Plan Update



## MOBILITY SECTION

[planhillsborough.org/tampamobility](https://planhillsborough.org/tampamobility)

The Mobility Section has five main goals: multimodal options; economic vitality; sustainability, resilience and health; equity; and safety. The Section provides an overarching framework for mobility-related City initiatives and aims to improve citizens' ability to get to the places they need to go in an equitable and safe way, regardless of mode choice.

## ENVIRONMENTAL SECTION

[planhillsborough.org/tampaenvironmental](https://planhillsborough.org/tampaenvironmental)

The Environmental & Sustainability Section will continue to provide a framework for the conservation, use, and protection of natural resources, wetlands, lakes, soil conservation, the Hillsborough River, and the conservation and use of alternative energy. Existing resource maps within the Comprehensive Plan are also being updated.

## VISIT THE PROJECT PAGES TO:



### WEIGH IN ON THE DRAFT LANGUAGE

We need your input to help shape the updates!



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# COMMUNITY CONVERSATION OPEN HOUSE

## You're Invited. Let's Talk!

**In-Person: Tuesday, June 20, 2023**

**Virtual: Wednesday, June 21, 2023**

*The information shared will be the same at each meeting.*

### Community Conversation with the Florida Department of Transportation

- Discuss how community input on aesthetic enhancements and uses for community spaces are being incorporated into FDOT projects
- Share feedback on proposed design changes to the Downtown Tampa Interchange (I-275/I-4)
- Learn about Tampa Heights Mobility Project and adjacent improvements
- Update on the I-275 Capacity Improvements

#### **IN-PERSON**

**Tuesday, June 20, 2023**

5:30 p.m. – 7:30 p.m.

Hillsborough County Bar Association

Chester H. Ferguson Law Center

1610 N Tampa Street

Tampa, FL 33602

#### **VIRTUAL**

**Wednesday, June 21, 2023**

11:00 a.m. – 1:00 p.m.

Registration is required to attend online. Please register at

[TampaBayNext.com](https://www.tampabaynext.com)



**Virtual Meeting  
Registration**

#### **For more information:**

**Email: [TampaBayNext@dot.state.fl.us](mailto:TampaBayNext@dot.state.fl.us) | Phone: 813-975-NEXT (6398)**

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons requiring special accommodations under the Americans with Disabilities Act to participate in this open house or persons who require translation services (free of charge) are asked to advise the agency at least seven (7) days prior to the open house by contacting: Roger Roscoe at 813-975-6411 or [Roger.Roscoe@dot.state.fl.us](mailto:Roger.Roscoe@dot.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800) 955-8771 (TDD) or 1(800) 955-8770 (Voice).

Comuníquese Con Nosotros: Nos importa mucho la opinión del público sobre el proyecto. Si usted tiene preguntas o comentarios, o si simplemente desea más información, por favor comuníquese con nuestro representante, Manuel Flores, (813) 975-4248, [Manuel.Flores@dot.state.fl.us](mailto:Manuel.Flores@dot.state.fl.us), de Transportación de la Florida, 11201 North McKinley Drive, Tampa, FL 33612.